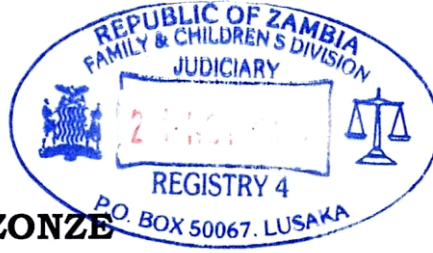


IN THE HIGH COURT FOR ZAMBIA
AT THE PRINCIPAL REGISTRY
FAMILY COURT DIVISION
HOLDEN AT LUSAKA

(Divorce Jurisdiction)

BETWEEN:

FAITH TOWELA BANDA - ZONZE
AND
JACOB ZONZE



PETITIONER

RESPONDENT

*Before the Honourable Mrs. Justice M.M. Bah-Matandala
Dated this 21st November, 2024.*

For the Petitioner: Ms. C. Chisengo – Legal Aid Board.

For the Respondent: In Person

J U D G M E N T

LEGISLATION REFERRED TO:

1. THE MATRIMONIAL CAUSES ACT NO. 20 OF 2007 OF THE LAWS OF ZAMBIA

1.0 INTRODUCTION


1.1 On the 31st May 2023, **Faith Towela Banda - Zonze** the Petitioner herein filed a Divorce Petition pursuant to **Section 8 and 9(1) (e) of the Matrimonial Causes Act No. 20 of 2007 of the Laws of Zambia** against the Respondent **Jacob Zonze** on the ground that the Petitioner and the Respondent had lived apart for a

continuous period of five (05) years since October 2016 to date immediately preceding the presentation of the Petition.

- 1.2 The Respondent filed the answer on 7th September 2023 wherein he consented that the marriage be dissolved.
- 1.3 Upon considering the evidence adduced by the Petitioner herein the Court is satisfied that the marriage between the Petitioner and the Respondent has broken down irretrievably. This is on the ground that the parties herein have lived apart for a continuous period of more than five (05) years since October 2016 immediately preceding the presentation of this petition.
- 1.4 I am also satisfied that the dissolution of this marriage will not result in any financial or other hardship on the part of the Respondent as it has been established that the Respondent has not been dependent on the Petitioner during the period of their separation.
- 1.5 The Petitioner is granted custody of the child of the family with access to the Respondent.

- 1.6 Further, any application for maintenance and property settlement is referred to the Hon. Registrar on application by either party.
- 1.7 In view of the foregoing the Petitioner is hereby granted a *decree nisi* which shall become absolute after the prescribed statutory period of six (6) weeks.
- 1.8 Each party shall bear their own costs.
- 2.0 I order accordingly.

Dated at Lusaka, this 21st November, 2024.


M.M. Bah-Matandala
HIGH COURT JUDGE

REPUBLIC OF ZAMBIA
HIGH COURT OF ZAMBIA
FAMILY & CHILDREN'S COURT DIVISION
21 NOV 2024
M.M. MATANDALA, J
P.O. BOX 50067, LUSAKA

