

DIV. C. 91/11

2011

F.

NO.10

IN THE HIGH COURT OF SIERRA LEONE
(FAMILY AND DIVORCE DIVISION)

BETWEEN:

ELIZABETH FATMATA FEMI-PRATT
 (NEE ALPHA)

PETITIONER

AND

SYLVANUS INA FEMI-PRATT

RESPONDENT

Counsel:

MR. E. PABS-GARNON Esq. for the Petitioner

JUDGMENT DELIVERED THIS 14th DAY OF May 2012 BY
HONOURABLE MRS. JUSTICE V. M. SOLOMON J. A.

JUDGMENT

The action herein is commenced by Petition dated 8th December 2011 in which the Petitioner is seeking a divorce from the Respondent on the grounds of cruelty. The Respondent did not cause an appearance to be entered. The matter was set down as an undefended cause and it proceeded accordingly.

The Petitioner testified and stated that she was married to the Respondent on 2nd February 2005 at the College Chapel, Rawdon Street, Freetown. The Parties have a daughter named Sybeth Avril Femi-Pratt aged 7 who is in the custody of the Petitioner. The Petitioner works at Airtel a telecommunications company at the customer care service and the Respondent works as an Accountant at the Finance Department at the Guma Valley Water Company. She stated that the Respondent has treated her cruelly. She stated that she had some money for a colleague which she kept in a polythene bag. Her colleague has called reminding her that she will be picking up the money on Monday. She then went to search her suitcase but the money was not there. She later found the money in the files of the Respondent. When the Respondent returned

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home, she confronted him about the money but he denied having taken the money and threatened to kill her. The sum of Le 350,000/00 was missing. As a result an argument ensued and the Respondent beat her up so badly that her left eye was filled with blood. The Respondent then asked her to move out of the house. The Petitioner called her mother-in-law to intervene but no avail. The Petitioner left the home with her daughter who was then aged 3. Since then she has had custody of the child but the Respondent has refused to make any contributions or support towards them. The child is attending the Queen Elizabeth Academy and is in preparatory 2 and her school fees are over Le 2 million a year. I have considered the evidence of the Petitioner and read the petition herein. The Petitioner is seeking a divorce on the ground of cruelty. The same has not been controverted by the Respondent as there is no answer and/or cross-petition filed on his behalf. I am convinced that the Respondent has acted cruelty to the Petitioner as required by law. The Petitioner has shown evidence to substantiate the claim of cruelty and constructive desertion and in the premises I grant a divorce on those grounds. In the premises, I hereby order that the marriage had and solemnized between Elizabeth Fatmata Femi-Pratt (Nee Alpha) on the 2nd February 2005 at the College Chapel, Rawdon Street Freetown be dissolved. I also order that the Respondent is to pay half the cost of school fees per annum, half the costs of uniforms and books, and a monthly maintenance of Le 100,000/00 for the child Sylbeth Avril Femi-Pratt in the custody of the Petitioner.



HON. JUSTICE V. M. SOLOMON J. A.