

**IN THE HIGH COURT FOR ZAMBIA
AT THE PRINCIPAL REGISTRY
HOLD AT LUSAKA**

2017/HPF/D.142

(Divorce Jurisdiction)

BETWEEN:

DOREEN MULELA NGOSA



PETITIONER

AND

CHILUKUSHA GOLDEN NGOSA

RESPONDENT

**Before Honourable Mrs. Justice S. M. Wanjelani on the 23rd day
of February, 2018**

*For the Petitioner: Ms. C. Jere, National Legal Aid Clinic for
Women*

For the Respondent: In person

JUDGMENT

Legislation and material referred to:

The Matrimonial Causes Act, No 20 of 2007

The Petitioner, **Doreen Mulela Ngosa**, filed this Petition for dissolution of Marriage on 7th June, 2017 pursuant to **9(1)(d)** of the **Matrimonial Causes Act** (the "Act").

I scheduled the matter for hearing pursuant to **Section 9 (2)** of the **Act**, which provides that:

"(2) On a petition for divorce it shall be the duty of the Court to inquire, so far as it reasonably can, into the

facts alleged by the petitioner and into any facts alleged by the respondent."

During trial, the Petitioner confirmed the contents of the Petition. She testified that she was lawfully married to **CHILUKUSHA GOLDEN NGOSA**, the Respondent on the 7th January 2007, at the Seventh Day Adventist Church in the City and Province of Lusaka, Zambia and they last lived together as husband and wife at 63/15 Kabanana in the City and Province of Lusaka of the Republic of Zambia.

The Petitioner stated the Parties are both domiciled in Zambia and that she is a business lady residing in Lusaka while the Respondent is a Principal at Dream Maker School, residing in Ndola. She added that there no children of the family while there are two children now living that have been born to the Respondent during the said marriage so far as is known to her namely **Bupe Ngosa** born sometime in 2010 and **Natasha Ngosa** born sometime in 2011.

In her further testimony, the Petitioner stated that there have been proceedings commenced in the High Court in Zambia in respect of the marriage under Cause Number 2011/HP/D 190, but was discontinued due to the Respondent's refusal to sign the Consent to Divorce and that no agreement or arrangement has been made or is proposed to be made between the Parties for the support of the Petitioner.

