

**IN THE SUPREME COURT OF SEYCHELLES**

**HANIFA JIHAAD**

**PETITIONER**

**VERSUS**

**LYMAAN JIHAAD**

**RESPONDENT**

**Divorce Side No 143 of 2010**

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Mr. S. Rajasundaram for the Petitioner

**JUDGMENT**

**B. Renaud J**

On 2<sup>nd</sup> February, 2002 the Petitioner Hanifah Jihaad of Bel Ombre, Mahe Seychelles, was married to the Respondent Lymaan Jihaad also of Bel Ombre, Mahe, Seychelles.

The Petitioner and the Respondent are Seychellois nationals ordinarily reside and are domiciled in Seychelles.

There is one child born of this marriage, namely, Salima Jihaad born on 18<sup>th</sup> August, 2010.

There have been no previous proceedings in any Court of Seychelles in relation to this marriage.

The Petitioner averred that the marriage has irretrievably broken down on the ground that the Petitioner and the Respondent have lived separate and apart for a continuous period of over one year immediately preceding the presentation of this Petition. All their attempts at reconciliation have not proved successful and there is now no possibility of reconciliation. The Respondent consented to the grant of the divorce.

On the basis of the uncontroverted evidence of the Petitioner, it is my judgment that the marriage of the parties has broken down irretrievably and that there is now no possibility of reconciliation.

In the circumstance, I hereby dissolved the said marriage and grant a conditional order of divorce to be made absolute six weeks from today or after the Family Tribunal has dealt with the issue of the relevant child.

The Registrar of this Court is directed to refer this case file to the Family Tribunal.

I make no order as to costs.

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B. RENAUD

**JUDGE**

Dated this 19<sup>th</sup> day of November 2010