

DM 02

IN THE SUPERIOR COURT OF JUDICATURE
IN THE HIGH COURT OF JUSTICE
MATRIMONIAL DIVISION
ACCRA - A.D. 2021,

SUIT NO.: DM/02164/2021

BETWEEN:

GLORIA ASSAN ARHIN
Apartment 3B
Churchill Road
Airport Residential Area

300005-277
filed on 16/02/2021
at 3:08 pm
at the Registrar
DIVORCE AND MATRIMONIAL COURT 'T'
ACCRA G.R.

PETITIONER

AND

EUGENE KOFI BENTUM ARHIN
Communications Directorate
Jubilee House
Accra

RESPONDENT

PETITION OF MRS. GLORIA ASSAN ARHIN

**TO: HIS LORDSHIP/HER LADYSHIP THE JUDGE
HIGH COURT
ACCRA.**

THE HUMBLE PETITION OF MRS. GLORIA ASSAN ARHIN SHEWETH THAT:

1. That the Petitioner, formerly a spinster, was lawfully married to the Respondent under customary law and subsequently the couple converted the customary marriage into marriage under the **MARRIAGES ACT, 1884-1985 CAP. 127** in or about the year 2012.
2. That after the said marriage, the parties cohabited in their rented apartment and subsequently moved in to live with Petitioners sister and then later to a rented place of their own all within Accra.
3. That the parties have three children namely:
 - **Kelsie Arhin (6 years old)**
 - **Kayla Arhin (4 years old).**
 - **Keeon Arhin (1 year ten months)**
4. The Parties are both citizens of Ghana and are domiciled in Ghana.
5. There are no subsisting proceedings regarding the said marriage in any Court.
6. That the Petitioner prior to her marriage to the Respondent was a banker working with the SG-SSB Bank as a credit officer but quit her job on the directions of the Respondent. Immediately after the marriage Petitioner started a new job with Charterhouse.

7. That in the early parts of the marriage, the parties faced financial challenges in the marriage so the Petitioner who was at the time the highest earner for the family, in addition to her employment with Charterhouse, traded in baby diapers and wipes as well as running event organization among others to be able to mobilize enough funds for the maintenance and management of the home and continued doing these jobs until somewhere in 2016 when Respondent asked Petitioner to quit the jobs, stay home and take care of the then only child of the family while expecting the second child.
8. The Respondent who was at the time of the marriage a research assistant with the Danquah Institute (D.I) and the press secretary to the then opposition leader (now president of Ghana) was upon the change of government appointed as the Director of Communications at the office of the President of the Republic of Ghana and has been in that position for the past four (4) years.
9. The Respondent shortly after his appointment as the Director of Communications started behaving in very unusual ways towards the Petitioner and the Children and continued on this path until the relationship between the parties deteriorated completely.
10. The marriage between the parties has for the past about four (4) years suffered irreparable damage and setbacks and all the efforts by the Parties and their families at amicable resolution have all failed.
11. The Respondent has on several occasions unequivocally informed the Petitioner that he is no longer interested in the marriage.
12. The Respondent has in addition to his clear indication of disinterest in the marriage moved out of the Parties residence (leaving the Petitioner and the children alone) and till date, the Petitioner has no knowledge of where the Respondent resides.
13. That the Respondent has committed and keeps committing adultery, deserted the Petitioner and behaved unreasonable towards the Petitioner and by reason of the said treatment and conducts of the Respondent, the marriage has broken down beyond reconciliation and all attempts aimed at resolving the challenges have proven futile.
14. The Respondent has committed and continues to commit adultery.

PARTICULARS OF ADULTERY

- a. The Respondent has other women in his life with whom he has extramarital affairs, including one **Chantel Kudjawa (Getrude Gbajo)** whom the Respondent continuous to have extramarital affair with.
- b. That the Respondent presently has a child of about a year old with another woman.
- c. That prior to leaving the home, the Respondent on some occasions, spent the night with these ladies and also did not sleep in the house and when I confronted him on it, he yelled at me and sometimes

verbally, emotionally, psychologically and physically abused me in the presence of our children. Respondent told me in one of his verbal abuses that I was not woman enough for him that is why he is involved with these other women.

- d. On one occasion after Respondent came for the children to spend time with them, the older child informed me that while they were with the Respondent, there was another lady in the house by name **Grace** whom the Respondent kissed continually in their presence.

15. That by reason of the Respondent's adultery and his unrepentant desire to continue on this path, the Petitioner finds it intolerable to live with the Respondent.
16. The Respondent has deserted the Petitioner, moved out of the home and has abandoned his duties as husband towards her and for the past two years failed or refused to share the matrimonial bed with Petitioner or had any form of sexual intimacy with Petitioner.
17. That prior to when Petitioner conceived the last child of the marriage, Respondent had not had sex with the Petitioner for about one year and Respondent has on occasion told the Petitioner that, he regrets having that sexual intercourse with her.
18. The Respondent does not involve me in any decision making concerning the family nor does he relate to me as a husband and wife and has exhibited this conduct for well over two years now.
19. Several attempts by the family and friends of both parties to adjust the differences between the parties have not been successful because Respondent has said he is not ready to sit with anyone nor is he interested in the marriage.
20. That the respondent has behaved in such a way that the Petitioner cannot reasonably be expected to live with him, and the Respondent has caused the Petitioner much anxiety, distress and embarrassment.
21. The Respondent has behaved unreasonably towards the Petitioner in many ways which has left the Petitioner psychologically distraught the end result of it being that the Petitioner is presently undergoing therapy.
22. That the Respondent has behaved in such an unreasonable manner for the past three years or more that the Petitioner cannot reasonably be expected to live with him.

PARTICULARS OF UNREASONABLE BEHAVIOUR

- i. Respondent has been abusing the Petitioner both physically and verbally at the slightest opportunity for over a year now.
- ii. The Respondent has repeatedly been comparing the Petitioner with the other ladies in his life whenever there is a dispute or misunderstanding between them.

- iii. Respondent has reduced Petitioner to a stranger and hardly communicates or spends any time with the Petitioner except to bicker and quarrel which has caused Petitioner to live in a state of constant emotional stress and anguish.
- iv. After the third child, Respondent deceived the Petitioner to undergo **Tubal Ligation/Female sterilization** (a procedure which effectively makes it impossible for Petitioner to get pregnant again) based the promise/assurances from the Respondent that he did not want any more kids and that the three children were enough only for the Respondent to in less than two (2) years go ahead and have a child with another woman.
- v. Respondent knowing very well that, he did not want the marriage again, failed to disclose same to Petitioner but misled Petitioner to have a Tubal ligation only for Respondent to start a new family in less than a year after the procedure.
- vi. Respondent has been repeatedly beating the Petitioner even in the presence of the Children and warned Petitioner not to touch anything in the house that is his (Respondent's).
- vii. Respondent banned Petitioner from entering any of landed properties acquired in the course of their marriage and took away all the documents to the properties which were initially in Petitioner's custody for safe keeping.
- viii. Respondent informed the Petitioner that he had to travel to pursue a course at George Town University a claim which Respondent knew very well to be false and only used it as a means to travel out of the country to spend time with one of his mistresses and his other child.

23. That during the pendency of the marriage, the Petitioner and Respondent through their joint efforts acquired or developed various movable/immovable properties.

LIST OF IMMOVABLE PROPERTIES

- a. A five (5) bedroom residential property (***which was intended to be the matrimonial home of the parties***) situate on a two (2) plot of land lying at East-Legon in Accra.
- b. A four storey building comprising of sixteen (16) separate flats/apartments situate on a parcel of land at Bubiashie in Accra which land was acquired from a family friend of the Petitioner.
- c. An ongoing storey building comprising of sixteen (16) separate flats/apartments situate at Tuba-Weiija in Accra.
- d. A Storey building comprising of apartments erected on a parcel of land situate at Teshie in Accra.
- e. A residential property situate at AU village at La in Accra


- f. A residential building situate at Senya Breku in the Central Region where the Respondent comes from.
- g. A water front residential property/resort situate at Ada Foah in the Greater Accra region.
- h. 3K Barbering shop at Teshie

LIST OF MOVABLE PROPERTIES

- a. One Ford F150 vehicle
 - b. Toyota Avalon vehicle with registration number **GR 7108 -18**
 - c. Toyota Lexus vehicle with registration number **GE 4646-18**
 - d. Toyota Tundra vehicle with registration number **GE 7108-18**
 - e. Hyundai Elantra vehicle with registration number **GE 4646-19**
24. That aside the financial contributions made by the Petitioner towards the acquisition and/or development of these properties, the Petitioner was also in charge of the supervision of the construction of the projects and spent almost all of her days on construction sites supervising the workmen and ensuring the project was going on smoothly. The Petitioner did all these while also taking care of the home and the children among others.
25. That of the vehicles acquired, the Respondent gifted his interest in the Toyota Lexus, the Hyundai Elantra and Toyota Tundra to the Petitioner pursuant to which the said vehicles were duly registered in the name of the Petitioner.
26. That the marriage having broken down beyond reconciliation the Petitioner wants the Court to make an order to the effect.
27. **WHEREFORE** the Petitioner prays as follows:
- i. That the said marriage be dissolved.
 - ii. That the Petitioner be granted custody of the three children of the Marriage, with visiting rights to the Respondent.
 - iii. That the five (5) bedroom residential house situate at East-Legon be settled in favour of the Petitioner.
 - iv. That eight (8) of the apartments/flats in the building situate at Bubiashie (representing 50%) be settled in favour of the Petitioner.
 - v. That eight (8) of the apartments/flats in the building situate at Tuba-Weija (representing 50%) be settled in favour of the Petitioner

- vi. That vehicles with registration numbers **GE 4646-18** and **GE 7108-18** be settled in favour of the Petitioner.
- vii. The Petitioner be declared a joint owner in equal share with the Respondent in all the other properties acquired in the course of the marriage.
- viii. That the Respondent be ordered to pay the Petitioner the sum of **GHC 2 Million (GHC 2,000,000.00)**.
- ix. An order for the Respondent to maintain the children, pay the school fees and health bills of the children of the marriage.
- x. That the Respondent be ordered to pay costs of and incidental to this suit.

DATED AT ACCRA THIS 9TH DAY OF FEBRUARY, 2021


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PETITIONER

THE REGISTRAR
HIGH COURT
ACCRA

AND FOR SERVICE ON THE ABOVE NAMED RESPONDENT.