



**FIL-QORTI CIVILI  
(SEZZJONI TAL-FAMILJA)**

**L-ONOR. IMHALLEF ANTHONY VELLA**

**Seduta ta' nhar il-Erbgha 10 ta' Lulju, 2019**

**Rikors nru: 162/19 AGV**

**AB**

**Vs**

**CD**

**Il-Qorti,**

Having seen the applicant's application filed on the 5<sup>th</sup> April, 2019, wherein he claimed and requested the following:-

1. That the parties were married on the 7<sup>th</sup> September, 1991 in St. Julian's Church which marriage is enrolled in the Public Registry marriage certificate numbered 1574/1991 (Vide Dok. A).
2. That from this marriage they have had two children, namely EB who was born on the 10<sup>th</sup> January, 1997 and FB, who was born on the 17<sup>th</sup> January, 1998.

3. That the parties are legally separated as per public deed dated 20<sup>th</sup> June, 2018 in the acts of Notary Marco Buttigieg hereinafter referred to as “the Deed.” (Vide Dok.B).
4. That the parties had been *de facto* separated since circa the year 2010.
5. That the applicant declares that the marriage has broken down irretrievably and there is no reasonable prospect of reconciliation and each of them leads a separate life independent of one another.
6. That the applicant declares that there are no pending payments in relation to the maintenance payable to the applicant in relation to the defendant (who has renounced her right to receive any maintenance from the applicant) and in relation to the children per the deed attached.
7. Therefore the applicant humbly requests this Honourable Court to:-
  - (a) Pronounce the divorce of the parties; and
  - (b) Order the Registrar of Court to notify the Director of Public Registry with the pronouncement of divorce of the parties so that such will be duly registered in the Public Registry.

With costs.

Having considered that the respondent did not file a reply to applicant’s application.

Having seen Article 66 A and B of Ch.16 of the Laws of Malta.

Having seen all other acts of the case;

Considers;

The Court concludes that the applicant has successfully satisfied all the requisites required at Law for the marriage between the parties to be dissolved since he proved that the parties have been *de facto* separated since 2010 and therefore more than four years have elapsed, followed by a separation contract dated the 20<sup>th</sup> June, 2018 in the acts of Notary Marco Buttigieg.

It results that there are no arrears of maintenance towards the children as well as towards the respondent who renounced to her right of maintenance.

The applicant also confirmed that there is no chance of reconciliation between the parties.

For the aforementioned reasons, the Court decides and declares as follows:-

1. Confirms the applicant's request and declares the marriage between the parties to be dissolved in terms of Article 66A, after having satisfied the requisites under Article 66B of the Ch.16 of the Laws of Malta.
2. Orders the Director of Public Registry to duly register the pronouncement of the divorce of the parties within a period of ten days.
3. Reduces the term for appeal to one day.

Without Costs.

**Onor. Anthony G Vella**

**Imhallef**

**Cettina Gauci**

**Deputat Registratur**