

**Court of Magistrates (Gozo)
Superior Jurisdiction
Family Section**

**Magistrate Dr Brigitte Sultana LL.D. LL.M. (Cardiff), Adv. Trib. Eccl.
Melit.**

Sitting of the 29th of January 2021

Sworn application number: 5/2020 BS

Aa

-vs-

Bb

The Court;

Having seen the application filed by Aa on the 21st of February 2020 whereby she humbly submitted:

1. That the parties got married on the eleventh (11th) of December of the year two thousand and thirteen (2013) in the Marriage Registry, Victoria, Gozo as confirmed by the annexed Act of Marriage which is marked as Document A;
2. That the parties have been separated for more than four years. In fact, the separation proceedings commenced in the year two thousand and fourteen (2014) by virtue of a letter bearing the number forty-five of the year two thousand and fourteen (45/2014) which was presented in front of this Honourable Court, which letter is dated fourth (4th) of June of the year two thousand and fourteen (2014). A copy of the said letter is being annexed and marked as Document B;
3. That by virtue of a Court Decree of this Honourable Court, dated twenty-fourth (24th) of July of the year two thousand and fourteen (2014), the Honourable Court

authorised the parties to enter into the contract of consensual separation. A copy of the said Court decree is being attached and marked as Document C;

4. That the parties separated from each other by virtue of the deed of separation in the act of the Notary Dr Paul G. Pisani of the twenty-fifth (25th) of July of the year two thousand and fourteen (2014), a copy of the said deed is being attached and marked as Document B.
5. There is no possibility of the couple reconciling and all attempts at reconciliation have failed. Today both parties lead separate lives.
6. This application for divorce should not prejudice the agreed conditions in the deed of separation;
7. That the applicant wishes to seek the pronouncement of divorce between the parties;
8. That the applicant is confirming the contents of this document in the Maltese Version.

She humbly requests the Court to:

- i) Pronounce divorce between the parties;
- ii) Order the Registrar of the Courts to inform the Director of Public Registry within the time-frame imposed by this Court so that the Director Public Registry would make the necessary annotation at the Public Registry.

Noting that the defendant though duly served with the application and notice of the hearing, failed to file a reply and did not appear in court on the appointed date for hearing.

Having heard the testimony given by the applicant wherein she confirmed under oath that there is no possibility of any reconciliation between her and the defendant and that the defendant does not owe her anything ;

DECIDE

In the light of the aforementioned observations, the Court, therefore, upholds the application and grants the requests.

Declares the dissolution of the marriage (divorce) between the parties; and

Orders the Registrar of Courts, within the time limit permitted by law to notify the Director of the Public Registrar of the dissolution of the marriage (divorce) between the parties so that it be registered in the Public Registry.

Without costs.

(sgd.) Dr. Brigitte Sultana
Magistrate

(sgd.) Maureen Xuereb
D/Registrar

True copy

D/Registrar