



Court Of Appeal

Judges

**THE HON. MR. JUSTICE GIANNINO CARUANA DEMAJO
(President)
THE HON. MR JUSTICE TONIO MALLIA
THE HON. MR JUSTICE ANTHONY ELLUL**

Sitting of Thursday, 25th February, 2021.

Number: 2

Application Number: 391/2020/1

Wei Sun

v.

Volodymyr Baran

Decree on the application filed by the defendant on the 15th December 2020.

By application filed on the 15th December 2020 defendant requested the Court:

“to authorise and order that the minor daughter of the Parties, enrol and attends government school, whether by virtue of online learning or attending physically classes due to the COVID 19 situation and receive a formal education pendente lite”.

Appeal. Number: 391/20/1

On the 30th December 2020 the plaintiff filed a reply and objected to defendant's demand.

By judgment delivered today in the appeal Wei Sun vs Volodymyr Baran (198/2019/3), this Court rejected defendant's appeal and confirmed the judgment delivered by the first court on the 22nd October 2020 whereby the plaintiff was awarded sole care and custody of the child and authorized to take the child back to China.

For this reason there is no further need for this Court to decide on whether *pendente lite*, the child should start attending a government school in Malta. Defendant's request is therefore dismissed with costs.

Giannino Caruana Demajo
President

Tonio Mallia
Judge

Anthony Ellul
Judge

Deputy Registrar
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