



**CIVIL COURT
(FAMILY SECTION)**

HON. MR JUSTICE ANTHONY G. VELLA

Sitting of Tuesday 30th November 2021

Application number: 500/2021 AGV;

AB

Vs

CB

The Court;

Having seen the application dated 22nd October 2021, AB under oath submits and confirmed;

1. That the parties were married in the 6th June 2000, and this is evidenced by their marriage certificate here annexed and marked Doc. JW1;
1. That the parties dissolved and liquated the communion of acquests between them and affected the personal separation by means of a personal

separation contract published in deeds of Notary Roberta Borg, on the 26^h November 2000 here annexed and marked as Doc WB 2;

2. That from this marriage the parties have two children, DEB born on the 13th July 2001 and FGB born on the 2th June 2008;
3. That the parties have been de facto separated since December 2018, as is evidenced and stated in Clause C of the separation contracted referred to above;
4. That there is no pending maintenance or any arrears due and therefore there are no maintenance claims;
5. That there is no reasonable prospect of reconciliation between them given that today they have a life totally separated from each other;
6. That these mentioned facts, satisfy all the necessary conditions for obtaining a divorce according to Article 66 B of the Civil Code, Cap. 16 of the Laws of Malta;

The applicant therefore humbly requests this Honorable Court to;

1. Pronounces the dissolution of the marriage between the parties;
2. Order the Registrar of Courts to, within the time allowed by Court, 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.

Having seen respondent's reply filed in the Maltese language;

Il-Qorti rat li r-risposta tal-intimat giet pprezentata bil-Lingwa Maltija fejn espona bil-gurament tieghu kkonferma li;

1. L-esponenti jikkoneferma li l-partijiet zzewwgu fis- 6 ta' Gunju elfejn, kif jirrizulta mic-ceertifikat taz-zwieg anness, mmarkat Dok JW 1 mar-rikors promuttur ;
2. Illi partijiet isseperaw permezz ta' kuntratt ta' seperzzjoni maghmul min-Nutar Roberta Borg datat 26 ta' Novembru 2020 , liema kuntratt gie pprezentat mar-rikors prumuttur u mmarkat Dok WB 2;
3. L-esponenti jaqbel li ma hemmx beda prospett ghar-rikonciljazzjoni, bejn il-partijiet, huma jghixu hajja totalment separata minn xulxin ;
4. L-esponenti jikkonferma li ma hemmx kwistjonijiet bejn il-partijiet rigward manteniment pendenti u lanqas arretrati ;
5. L-esponenti umilment jissottometti illi in vista tal-fatt tat-talba tal-hall taz-zwieg saret mir-rikorrenti, Jane Weber, l-ispejjez ta' dil- procedura ghandhom jigu addossati minnha.
6. L-esponenti qed jikkonferma ir-risposta tieghu bil-gurament.

Galdaqstant, l-esponenti umilment u bir-rispett qed jitlob lil dina Onorabbli Qorti, sabiex tilqa' it-talbiet tal-esponenti sabiex iz-zwieg tal-partijiet jigi mahlul, b' dana illi l-ispejjez ta' dil-procedura ghandhom ikunu a karigu tar-rikorrenti.

DECIDE:

Now, therefore, the Court;

Upholds the applicants' claim.

Declares the divorce of the marriage contracted between the parties
on the **6th June 2000**;

Orders the Registrar of Courts to inform within ten (10) days the
Director of the Public Registry to register the divorce in the Public
Registry.

Without costs.

Term for leave to appeal abbreviated to one day.

Hon. Anthony Vella

Judge

Cettina Gauci- Dep Reg