



**CIVIL COURT
(FAMILY SECTION)**

MR. JUSTICE ANTHONY G. VELLA

Sitting of Thursday 26th September 2024

Application number: 310/2024 AGV

SG

VS

DG

(nee` R)

The Court;

Having seen the application of SG ;

Respectfully submits and confirms on his oath:

1. That the parties married in Republic of Mauritius on the twenty -first of November of the year two thousand and eight (21.11.08) and this according to the relative act of marriage bearing number (476/2008) issued from the Republic of Mauritius, herewith attached and marked as Doc B;
2. That the parties moved to Malta and established their residence here on the fourth (4th) of April of two thousand and fourteen (2014) – applicants true photocopy of the Maltese identity card is herewith attached and marked as Doc C;
3. That from this marriage the parties had a daughter by the name of SSG born at Mater Dei hospital tal-Qroqq Msida, Malta on the twenty-second of November of the year two thousand and fifteen (22.11.15) act of birth herewith attached and marked as DOC D;
4. That there marriage cohabitation was no longer possible on account of valid reasons which sufficed at civil law to justify personal separation and whilst the parties separated de facto and no longer lived together since July of the year two thousand and twenty (2020) they separated legally by means of a contract of personal separation in the acts of Notary Dr. Loredana Micallef on the eight of March of the year two thousand and twenty-three (08.03.23) – copy of the contract is herewith attached and marked as Doc E;

5. That there is no reasonable prospect for reconciliation between the parties as they haven't resided together for the past four (4) years and today they have a totally separated life;
6. That according to the contract above-cited the parties have no obligation of maintenance towards each other because of reciprocal forfeiture of such right;
7. That according to the mentioned contract the applicant obliged himself to pay the wife for their daughter SSG maintenance in the amount of two hundred thirty euros (€230) monthly provide that the maintenance due prior to the month of August of each calendar year is that of five hundred (€500). The said maintenance includes all educational and health expenses related to the minor whether ordinary or extraordinary;
8. That said maintenance has always been paid in advance and there is no pending amount to be paid;
9. That there are no pending issues or pending cases at court between the parties;
10. That all the facts above mentioned satisfy all the conditions required for obtaining a divorce in Malta according to Article 66 B and also that of Article 66N of the Civil Code (chapter 16 of the laws of Malta);

Therefore the plaintiff humbly requests this Honorable Court to:

- I. **DECLARE** The marriage of the parties G and DG nee` R dissolved and that consequently the parties are divorced for all the intents and purposes at law;

- II. **ORDER** THE Registry of the Courts so that in the period required by this Court notifies the Director of the Public Registry with the divorce of the parties, so that it is restarted in Public Registry.

And this under other provision that this Honorable Court deems fit and necessary in the circumstances.

Having seen that respondent, duly notified, failed to reply.

DECIDE:

Now, therefore, the Court;

Upholds the applicants' claim.

Declares the divorce of the marriage contracted between the parties on the **21st November 2008**

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.

Hon. Anthony Vella
Judge

Cettina Gauci- Dep Reg