



**CIVIL COURT
(FAMILY SECTION)**

MR. JUSTICE ANTHONY G. VELLA

Sitting of Thursday 3rd July 2025

SWORN APPLICATION NO; 158 /25

MR C

-VS-

**Dr Jason Grima and PL
Katrina Zammit Cuomo as
Deputy curators to represent
the absent MMC**

The Court;

Having seen the sworn Application of MR C

Humbly submits and confirms on oath: -

1. That the parties got married in the Republic of Philippines on the twenty-third (23rd) of September of the year two thousand and sixteen (2016), as per copy of the marriage certificate which is hereby being exhibited, attached and marked as **Doc. 'A'**.
2. That the parties have a child, namely **MEC** born on the 7th of November of the year 2016, as per birth certificate marked as **Doc 'B'**, who resides in the Republic of the Philippines.
3. That the needs of the parties' minor child are seen to solely and exclusively by the applicant, who pays for all expenses in relation to the said minor child.
4. That the parties have been living apart since the year two thousand and seventeen (2017) and the respondent never came to Malta, such that there exists no community of acquests between the parties, and additionally the parties never acquired any assets or contracted any liabilities together.
5. That the applicant came to Malta in the year two thousand and seventeen [2017], as per documents hereby attached and marked as **Doc 'C' and 'D'**, such that the applicant satisfies the required

conditions in terms of Article 66(N)(1)(b) of Chapter sixteen (16) of the Laws of Malta.

6. That there is no prospect or hope for reconciliation between the parties since besides the fact that they have been separated de facto for many years, they are also living totally separate and independent lives.
7. That there is no dispute between the parties in connection with any maintenance payments, since the applicant herself maintains the parties' daughter, who resides in the Philippines.
8. That the above-mentioned facts satisfy the criteria for the attainment of divorce in terms of article 66B of the Civil Code, Chapter 16 of the Laws of Malta.
9. That the applicant has been authorized to proceed with these judicial proceedings in virtue of a decree granted by this Honorable Court on the eleventh (11th) February of the year two thousand and twenty-five [2025], a copy of which is hereby attached and marked as **Doc. 'E'**.
10. That the applicant is hereby exhibiting her affidavit attached and marked as **Doc 'F'**.

Consequently, the applicant humbly asks this Honorable Court to: -

1. Pronounce the marriage (divorce) between the parties; and

2. Order the Registrar of Courts to, within the timeframe granted 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

And this under such provisions that this Honorable Court deems fit and appropriate.

Having seen that the curators exhibited an email from the defendant, whereby she declared that she has no objection to the granting of the divorce.

Having seen that, therefore, the Court could pass judgment.

DECIDE:

Now, therefore, the Court;

Upholds the applicants' claim.

Declares the divorce of the marriage contracted between the parties .

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