



**CIVIL COURT  
(FAMILY SECTION)**

**MR. JUSTICE ANTHONY G. VELLA**

**Sitting of Thursday 26<sup>th</sup> June 2025**

**Application number: 227/2025 AGV**

**MC**

**Vs**

**S JS**

**The Court ;**

**Having seen the application of the plaintiff MC**

1. That parties contracted marriage on 9<sup>th</sup> October of the year 2010 (**Document MC1**) and from their marriage one child was born, being JC who was born on 19<sup>th</sup> October 2013.
2. That the said parties separated by contract of separation published in the records of Notary Doctor Katrin Bartolo on 12<sup>th</sup> April 2021 (**Document MC2**) such that, the condition set out in Article 66B (b) of Chapter 16 of the Laws of Malta is satisfied.
3. That, as results from the said contract of separation, the parties had regulated in their separation agreement, *inter alia*, the obligations of payment of maintenance whereby in the first place they had renounced to their respective rights to request maintenance from each other (Article 2 of the said deed) and in the second place they had quantified the plaintiff's contribution towards the minor child's maintenance which is being paid by the plaintiff to the defendant (Article 8(ii) *et seq* of the said deed), such that the condition set out in Article 66B (d) of Chapter 16 of the Laws of Malta is satisfied.
4. That there is no reasonable prospect for reconciliation between the parties such that, the condition set out in Article 66B (c) of Chapter 16 of the Laws of Malta is satisfied. That the plaintiff is attaching herewith his affidavit in this regard (**Document MC3**).
5. Such that, the conditions contemplated in the said Article 66B of Chapter 16 are satisfied and this on account of the fact that the parties are separated by a contract of separation.

Therefore, plaintiff humbly request that, in terms of the dispositions of Article 66B of Chapter 16, this Honourable Court deems it fit to, upon hearing of parties, as contemplated in Article 66C of Chapter 16 and in order to establish that the conditions contemplated in the said Article 66B have been satisfied, pronounce divorce between the parties as contemplated in the said Article 66C.

With costs.

Having seen that respondent, duly notified, failed to file a reply within the prescribed time.

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

**DECIDE:**

Now, therefore, the Court;

Upholds the applicants' claim.

Declares the divorce of the marriage contracted between the parties on the **9<sup>th</sup> October 2010**

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**