



MALTA

**QORTI CIVILI  
(SEZZJONI TAL-FAMILJA)**

**ONOR. IMHALLEF  
ROBERT G MANGION**

Seduta tat-8 ta' Mejju, 2014

Rikors Numru. 1/2014

Number on list: 23

**A B**

**vs**

**C B**

**The Court,**

Having seen plaintiff's application filed on the 6<sup>th</sup> January 2014 which reads as follows:

## Kopja Informali ta' Sentenza

1. "That the parties celebrated their marriage on the 21<sup>st</sup> December 1996 and from such marriage, an only son, Andrej who is today sixteen years old, (16) was born,
2. That the parties have been legally separated by means of a contract in acts of Notary Nicholas Vella (hereafter attached and marked Doc A), dated fourth (4) December of the year two thousand and one (2001);
3. That there is no reasonable prospect of reconciliation between the parties, since they have been living a separate life, for more than twelve years and thus, today have a total separate life from one another;
4. That according to the contract dated fourth (4) December of the year two thousand and one (2001), the parties had mutually forfeited their right to claim or demand maintenance from one another; whereas the plaintiff, was obliged to pay for his on, such sum as may be agreed to by the spouses from time to time, which he has always paid;
5. That the above mentioned facts satisfy the conditions requested at law to obtain the divorce, in terms of article 66B of Chapter 16 of the Laws of Malta;

Therefore, the plaintiff humbly asks this Honourably Court to:

1. Pronounce the dissolution of the marriage in terms of Article 66B of Chapter 16 of the Laws of Malta;
2. Order the Registrar of Courts, to notify the divorce of the parties to the Director of Public Registry within the period allowed for this purpose by this Honourably court, so that the same shall be registered on the marriage certificate of the parties."

Having seen that defendant was notified with the application on the 20<sup>th</sup> January 2014 but did not file a reply.

Having examined the acts of the case.

Having seen that the case was adjourned for today for judgment.

Considers the following;

## Kopja Informali ta' Sentenza

From the acts it results that the parties, married on the 21<sup>st</sup> December 1996 have been legally separated since the 4<sup>th</sup> December 2001. According to plaintiff's sworn declaration, which has not been contested by defendant, it results that there is no reasonable prospect of reconciliation between the parties; that there is no dispute between the parties regarding alimony; and that the above premises satisfy the conditions for a request of divorce in terms of Article 66B of the Civil Code, Chapter 16 of the Laws of Malta;

### Decision

For theses reasons the Court pronounces the divorce of spouses B and in terms of Article 66A of Chapter 16 of the Laws of Malta orders the Court Registrar to notify, by not later than ten days from when this judgment becomes *res judicata*, the Director of the Public Registry with a copy of this judgment so that it be registered in the Public Registry.

### Judge

### Deputy Registrar

**< Sentenza Finali >**

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