

**Court of Magistrates (Gozo)
Superior Jurisdiction
Family Section**

**Magistrate Dr Brigitte Sultana LL.D. LL.M. (Cardiff), Adv. Trib. Eccl.
Melit.**

Sitting of Tuesday 3rd December 2019

Sworn application number: 09/2019 BS

EE

Vs

**Dr. Joseph Grech who by virtue of a decree dated 26th of June 2019 was
appointed deputy curator to represent the absent FF**

The Court;

Having seen the application filed by EE of 17th May 2019 that humbly submits and confirms on oath;

1. That the parties got married in Dublin, Ireland on the 14th July of the year nineteen eighty eight (1988), as per copy of the marriage certificate which is hereby being exhibited, attached and marked as Doc. 'A';
2. That the separation proceedings commenced in the year two thousand and seven (2007) and the first provisional separation order was given by the Irish Court on the 16th January of the year two thousand and eight (2008) as per copy of the order attached and marked Doc.B;

3. That the parties have been separated *de facto* since the year two thousand and seven (2007), and legal separation between them was definitely pronounced by virtue of a court decree by the Kildare Family Court Ireland dated 27th April of the year two thousand and sixteen (2016), a copy of which is attached and marked Doc. C;
4. That there is no prospect or hope for reconciliation between the parties since besides the fact that they have been separated *de facto* for more than four (4) years, they are also living totally separate and independent lives;
5. That the maintenance which is to be paid to the wife has already been regulated in the separation decree as confirmed in the decree marked Doc C;
6. The couple's child is over age;
7. That the applicant has been domiciled and living in Malta and has a Maltese residence permit bearing the reference number MT 6644845, copy of which is attached and marked Doc D;
8. That the applicant is confirming the contents of this document under oath.

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

1. Pronounce the marriage (divorce) between the parties; and
2. Order the Director Gozo Courts to, within the time-frame granted by Court, notify the Director of the Public Registry (Malta) and the Director Public Registry (Gozo) of the dissolution of the marriage (divorce) between the parties so that they make the necessary annotation at the Public Registries in Malta and Gozo and this under such provisions that this Honorable Court deems fit and appropriate.

Having seen the reply filed by the curator appointed to represent FF, stating that he was not aware of the facts of the case, and that he reserved the right to file additional pleas;

Having heard the testimony given by the applicant EE;

Having heard the parties' submissions.

DECIDE

The Court, therefore, having perused all the documents filed by the applicant and after having heard his testimony;

Upholds the application and grants the requests.

Declares the dissolution of the marriage (divorce) between the parties; and

Orders the Registrar of Courts, within the time limit permitted by law to 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.

Without costs.

(sgd.) Dr. Brigitte Sultana
Magistrate

(sgd.) Maureen Xuereb
D/Registrar

True copy

D/Registrar