



**CIVIL COURT
(FAMILY SECTION)**

MR. JUSTICE ANTHONY G. VELLA

Sitting of Friday 19th November 2021

APPLICATION number : 446/2021 AGV;

A sive B C D

vs

E sive F D

The Court;

Having seen the application of A sive BCD dated 28th September 2021, who humbly submits and confirms under oath;

1. That the applicant and her husband, got married in Malta, on the 10th October 1998 (Dok JC1), and used to live in Malta together from said

marriage they had a daughter who is now 18 years old (GD, date of birth is 30th June 2003);

2. That the relationship between the parties broke down and the parties have lived separately since April 2009 and separated consequently by contract dated 4th August 2010 (Dok JC 2), there never has been any reconciliation and there is no possibility of any future reconciliation between them;
3. That the parties have renounced to any right to maintenance for themselves, whilst the maintenance of the daughter is now payable according to the contract directly to the daughter.
4. That therefore the applicant declared that all the requisites at law for the granting of a divorce apply and that she wishes to revert her maiden surname that is, ' H' ;

Therefore, applicant humbly requests this Honorable Court to;

1. To declare the dissolution of the said marriage (certificate 1870/1998, progressive number 0159151) between the parties by means of divorce;
2. To authorise and to declare that the applicant is reverting back to her maiden surname H and
3. To order that the Director of the public registry be notified of this according to law for him to register said divorce and choice of surname according to Law.

Having seen respondent's reply filed in the Maltese language.

Il-Qorti rat ir-risposta tal-intimat datata 18 ta' Novembru 2021 fejn ecepixxa bir-rispett u bil-gurament tieghu ikkonferma;

1. Illi l-intimat jaqbel mat-talbiet tar-rikorrenti u li l-istess rikorrent ikkonfermat fir-rikors taghha cjoé' li dina l-Onorabbli Qorti tippronunzja id-divorzju bejn il-partijiet, u dana ai termini tal-artikolu 66 C tal-Kap. 16 tal-Ligijiet ta' Malta
2. Illi l-unika eccezzjoni li l-intimat ghandu x' jissoleva hija illi ma ghandux ibati l-ispejjez tar-rikorrenti ta' dawn l-odjerni proceduri;
3. Illi in oltre' l-intimat jaqbel ma joggezzjonax li ir-rikorrenti tirreverti ghal kunjom xubitha, ossija H.
4. Illi l-intimat qed jipprezenta l-affidavit tieghu u li jinsab esebit mar-risposta, Dok TC 1.
5. Illi ghal ragunijiet suespost l-intimat jirrimetti ruhu ghas-savju gudizzju, ta' dina l-Onorabbli Qorti.

DECIDE:

Now, therefore, the Court;

Upholds the parties' claim.

Declares the divorce of the marriage contracted between the parties on the **10th October 1998**.

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.

Authorises the applicant to revert to her maiden surnames, that is H

Without costs.

Term for leave to appeal abbreviated to one day.

Hon. Anthony Vella

Judge

Cettina Gauci- Dep Reg