

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION (MAIN) NO. 880 OF 2014

AMBA GIRISH SALELKAR.

... Appellant

Versus

MR. GAUTAM KUMAR RAJA AND ANR.,

... Respondents

Mr. Vishnuprasad A. Lawande, Advocate for the applicant.
Ms. Neha Kholkar, Additional Government Advocate for the
respondent No.2.

Coram:- C. V. BHADANG, J.

Date:- 17th July, 2015

P.C.

Heard Mr. Lawande, the learned counsel for the applicant and Ms. Neha Kholkar, the learned Additional Government Advocate for the respondent No.2. There is no appearance on behalf of the respondent No.1.

2. This is an application under Article 1101 of the Portuguese Code of Civil Procedure, 1939, for confirmation of the decree of dissolution of marriage.

3. It appears that the applicant and the respondent No.1 had filed a petition under Section 13(B) of the Hindu Marriage Act, for dissolution of marriage by mutual consent bearing petition No.F-598 of 2013 before the Family Court at Mumbai. By a judgment dated 30 September 2013, the marriage between the applicant and the respondent No.1 has been dissolved by decree of divorce, by mutual

consent as per the consent terms at Exh.9, before the Family Court.

4. It is submitted by the learned counsel for the applicant that as per Article 3 of the Portuguese Civil Code a divorce by mutual consent is permissible and recognized in the State of Goa. As such, there is no difficulty in confirming the said decree.

5. Having heard the learned counsel for the applicant and also the learned Additional Government Advocate for the respondent No.2, the application is allowed in terms of prayer clause 'a' and 'b'.

C. V. BHADANG, J.

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