

Meena

IN THE HIGH COURT OF BOMBAY AT GOA
MISC CIVIL APPLICATION (MAIN) NO.903 OF 2016

Crystal Joy Evelyn Sequeira ...Appellant

Versus

Hyder Hezek Busheri ...Respondent

Mr DJ Pangam, Advocate for the Appellant.

CORAM: G.S. PATEL,J

DATED: 12th October 2017

PC:-

1. The application is for cancellation of a marriage registration in terms of a Divorce Decree passed by a foreign Court.
2. The Applicant is the wife. The 1st Respondent is the husband. He lives in Canada. The parties were married in Panaji on 5th January 2009. The marriage was registered under Entry No 10 of 2009. A copy of the marriage Certificate is annexed.
3. After marriage, the Applicant and the 1st Respondent moved to Canada where they stayed. Disputes and differences arose and divorce proceedings were filed in the Superior Court of Justice in Toronto, Canada. The marriage was dissolved by a order and Decree dated 17th April 2013 with effect from 18th May 2013. The actual order is dated 22nd July 2013. The Government Authorities issued a certificate on 22nd September 2015 stating that the Decree was genuine. Copies of these documents are annexed.

4. Hence, the present application.

5. Mr Pangam states that the Constituted Attorney of the Applicant has contacted the 1st Respondent by e-mail in Canada. There is an affidavit tendered today. To this is annexed an e-mail and its attachment in PDF. That attachment is a letter or email from the 1st Respondent confirming the dissolution of the marriage but saying that he has no interest in appointing an Advocate. He says the Court may proceed without insisting on his presence. The affidavit is taken on record.

6. In view of this, the Misc. Civil Application is made absolute in terms of prayer clause(a). The 2nd Respondent, the Civil Registrar and Sub-Registrar Government of Goa at Tiswadi, Goa is directed to act on an authenticated copy of this order and to cancel the marriage registration Entry No 10 of 2009 in respect of the marriage of the Appellant and the 1st Respondent solemnised on 5th January 2009.

7. The application is disposed of. No costs.

G. S. PATEL, J