

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.1137OF 2017

Shirley Goretti Sequeira

..... Petitioner.

Versus

The Civil Registrar Cum Sub
Registrar of Bardez Mapusa.

.... Respondents.

Mr. P. A. Kholkar, Advocates for the Petitioner.

Ms. P. Kamat, Additional Government Advocate for the Respondent
nos.1 and 2.

Mr. J. E. Coelho Pereira, Senior Advocate with Mr. V. Braganza,
Advocate for the Respondent no.3.

Ms. J. Godinho, Advocate for the Respondent no.4.

***Coram : N.M. Jamdar &
Prithviraj K. Chavan, JJ.***

Date : 24 April 2018.

P.C. :

The Petitioner and the Respondent no.4 were husband and wife. By an order of Patriarchal Tribunal of the Archdiocese of Goa and Daman, the marriage between the Petitioner and the

Respondent no.4 has been declared as null and void. The Petitioner has moved this Court to direct Respondent no.1 to cancel civil registration of Petitioner's marriage and direction to the Respondent no.3 Patriarchal Tribunal to forward copy of the definitive sentence to this Court.

2. Notice was issued to the Respondent no.4. The learned Counsel for the Respondent no.4, on instructions, reiterates that Respondent no.4 has no objection for cancellation and his consent is also recorded when the Patriarchal Tribunal passed the order.

3. Learned Senior Advocate who appears for Respondent no.3-Tribunal states that the Canon Law has had undergone a change and under the changed law, it is not be necessary for Tribunal to send the copy of the order unless the judgment is confirmed by the Appellate Authority under Canon Law.

4. In this case order has been passed on 14 November 2016, the Respondent no.4 is currently staying abroad. Learned Senior Advocate states that in the facts of this case where the parties are agreeable, and that the proceedings are pending for some time, instead of insisting on the changed legal position, the Tribunal will

send a copy of the order to this Court in the light of the decision of the Division Bench of this Court in the case of *Joao Azavedo Vincente Paulo Vs Clara Rodrigues*.¹

5. In view of this consensus at the bar, we have not adjudicated the legal position. We dispose of the petition, in view of the statement made by the learned Senior Advocate on behalf of the Respondent no.3.

6. All Parties to act on the authenticated copy.

Prithviraj K. Chavan, J.

N.M. Jamdar, J.

¹ 1996(5) Bom CR 155.