

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION (MAIN) NO. 46 OF 2019

CAROL DE MENEZES @ CAROL
FERNANDES.,

... Appellant

Versus

CLEEVAN JUDE BABACIER DE MENEZES
AND ANR.,

... Respondents

Mr. Salil Satish Saudagar, Advocate for the Applicant.
Mr. V. Naik, Advocate for the Respondent no.1.
Mr. Deep D. Shirodkar, Additional Government Advocate for
the Respondent no.2.

Coram:- C. V. BHADANG, J.

Date:- 26th March 2019

P.C.

This is an application for confirmation of a Decree Absolute dated 30.04.2018 passed by the Family Court at Bury St. Edmunds, U.K. in case No.BV17D17834.

2. The respondent-husband had filed the said case for dissolution of marriage against the applicant-wife on two grounds namely that the marriage has broken down irretrievably and that the applicant (the respondent before the Family Court) has behaved in such a way that the respondent (the petitioner before the Family Court) cannot reasonably be expected to live with her. A copy of the application filed before the Family Court

is produced today on record and is marked 'X' for identification. A perusal of Part 5 and Part 6 shows the grounds as well as the pleadings in support of the said grounds about matrimonial cruelty.

3. It appears from the record that after the present applicant was served with a notice, she appeared before the Family Court, however, she did not contest the proceedings and eventually the Family Court has granted the Decree of Divorce on both the grounds.

4. It is the applicant-wife now who has filed the present application for confirmation of the said Decree for which the respondent has obviously no objection. It is undisputed that the ground about matrimonial cruelty is also a ground for dissolution of marriage available as per the Family Laws in Goa. In that view of the matter, the Decree deserves to be confirmed.

5. In the result, the application is allowed in terms of prayer clauses (a) and (b) which read thus :

"(a) The Decree Absolute dated 30th April 2018 passed by the Family Court sitting at Bury St. Edmunds, U.K., in case BV17D17834, dissolving the marriage between the Applicant and the Respondent be confirmed producing all its legal effects

in India.

(b) The Sub Registrar of Bardez, at Mapusa be directed to cancel the registration of the marriage of the Applicant and Respondent registered at his office under entry No.1414/2013."

C. V. BHADANG, J.

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