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IN THE HIGH COURT OF BOMBAY AT GOA

MIS. CIVIL APPL.(MAIN) NO.5 OF 2024

MERLYN ROSALINA
DE OLIVEIRA

... APPLICANT.

Versus

VINCY VALES AND ANR. ... RESPONDENTS.

Mr. Ravi Mahadev Gawas, Advocate for the Applicant.

Mr. Pranav Vaze, Advocate for Respondent No. 1.

Mr. Shivdatt P. Munj, Additional Government Advocate for Respondent No. 2.

CORAM:- VALMIKI MENEZES, J.

DATED :- 16th DECEMBER, 2024.

ORAL ORDER:

1. This is an application for a confirmation of the Foreign Judgment/Decree granting Divorce to the Petitioner. The application has been filed under Article 1101 of the Portuguese Civil Procedure Code read with Section 13 of the Civil Procedure Code.

2. The Respondent has no objection to confirm the Decree.

3. The parties had registered their marriage before the Civil Registrar of Tiswadi at Panaji and entry to that effect has been made under No. 12/2009 dated 05.01.2001 in the Marriage Registration book of the year 2009. Parties have thereafter been residing in U.K.

4. Due to differences which arose between the parties, the Petitioner filed a divorce proceeding for dissolution of their marriage before the Family Court, London, on the grounds of cruelty, in which proceeding the Respondent chose not to contest. Ultimately a Decree of divorce was granted and made absolute by the final decree dated 08.11.2023. This order was passed by the Family Court, London U.K., granting the Petitioner a Decree of divorce and directs dissolution of their marriage which was solemnized on 05.01.2009, before

the Civil Registrar of Tiswadi at Panaji. From the averments made into the application and on perusing conditions of the Foreign Decree passed by the U.K. Court on 08.11.2023, the same does not appear to be a Judgment passed based on law contrary to the Public Policy of India and appears to conform with the laws of the land, as it would be applicable to the parties, within the State of Goa. Consequently, the application is allowed. The Decree dated 08.11.2023 passed by the Family Court is confirmed and held as final and conclusive.

5. The marriage of the Petitioner with the Respondent shall stand dissolved on the confirmation of this Foreign Decree. Consequently, the Civil Registrar of Tiswadi is directed to make appropriate endorsement against the Entry No. 12/2009 in the Marriage Registration Book of the year 2009 dated 05.01.2009,

recording confirmation of the aforementioned Decree of Divorce and cancel such registration.

6. The order is made absolute in the above terms.
7. The present application stands disposed of.

VALMIKI MENEZES, J.