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IN THE HIGH COURT OF BOMBAY AT GOA**MISC. CIVIL APPLICATION (MAIN) NO.5 OF 2025**

Ms. Flossie Anasthasia Fernandes,
Daughter of Joao Filipe Fernandes,
Aged 40 years,
Resident of House No. 795,
Batora, Curtorim,
Salcette, Goa-403709.
Presently residing at 101,
Spring Grove Road,
Hounslow, Middlesex, TW3 4BD,
United Kingdom.
Email ID: flossiefernandes19@gmail.com
Through duly constituted Attorney,
Mr. Benedict Joaquim Fernandes,
Son of Joaquim Fernandes,
Aged 48 years, Indian National,
Resident of 107/F, Boa Vista,
Bastora, Mapusa, Goa, 403507.

... Applicant

Versus

Anil Fernandes,
Son of Bartolomeu Fernandes,
Aged 50 years, Indian National,
Resident of House No. 768,
Mugali, Sao Jose de Areal,
Povocao Vaddo, Curtorim,
Salcette, South Goa-403709.
Presently residing at 46,
Spring Grove Road,
Hounslow, Middlesex, TW3 4DB,
United Kingdom.
Email ID: anilfernandes67@gmail.com

... Respondent

Mr. Austin D'Souza with Ms. D. Modak, Advocates for the Applicant.

CORAM: VALMIKI MENEZES, J.

DATED: 18th July, 2025

ORAL ORDER:

1. Registry to waive office objections and register the matter.
2. When notice was issued to the Respondent returnable today, the video conferencing link was also communicated in the notice, to enable the Respondent to attend the hearing through video conferencing, considering that the Respondents reside in the U.K. When the matter was called out today, none appeared in person or through video conferencing for the Respondent.
3. The record bears out that the Respondent was served through Registered Post A.D. on his address in the United Kingdom, as can be seen from the tracking report filed along with the affidavit of service dated 14.07.2025. The tracking report states that the Respondent was served on 04.07.2025. In addition, the Respondent has also been served with a notice at his local address in Goa and the A.D. card has been received which suggests that the same has been delivered to the Respondent on 01.07.2025. In addition, the Respondent has also

been served through Courier service whose report suggests that it has been delivered to the Respondent on 11.07.2025. The Respondent is, therefore, considered to have been served.

4. This is an application for confirmation of a 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.

5. The parties had registered their marriage before the Office of Civil Registrar, Salcete, Goa, and an entry to that effect has been made under No. 1825/2007 dated 09.09.2007 in the Marriage Registration book of the year 2007. Parties have thereafter been residing in England.

6. Due to differences which arose between the parties, the Petitioner and the Respondent decided to end the marriage and part ways in the year 2019.

7. Thereafter, with the intention to legally terminate the marriage solemnized and registered in Goa, the Applicant instituted divorce proceedings bearing Case No. 1653-3089-7188-8339, before the HM Courts & Tribunals Service, England, United Kingdom (“the U.K. Court”) on the ground that the marriage had broken down irretrievably. The U.K. Court passed

a Conditional Order dated 19.12.2023, granting divorce to the Applicant, which came to be finalised by a Final Order of the U.K. Court, dated 31.01.2024, ending the legal marriage between the parties, recording that no sufficient cause for refusing to finalize the Conditional Order was shown to the court within six weeks from the passing of the said Conditional Order.

8. On perusing the conditions of the Final Order passed by the U.K. Court on 31.01.2024, 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 would be applicable to the parties, within the State of Goa. Consequently, the application is allowed. The Decree appears to be on merits, and after service was held deemed effective on the Respondent. The Final Order dated 31.01.2024 passed by the U.K. Court is confirmed and held as final and conclusive.

9. The marriage of the Petitioner with the Respondent shall stand dissolved on the confirmation of this Foreign Decree. Consequently, the Civil Registrar is directed to make appropriate endorsement against the Entry No. 1825/2007 dated 09.09.2007 in the Marriage Registration book of the year 2007, recording confirmation of the aforementioned Final Order of Divorce and cancel such registration.

10. The order is made absolute in the above terms.
11. The present application stands disposed of.

VALMIKI MENEZES, J.