

IN THE SUPREME COURT OF SEYCHELLES

Civil Side: DC 157/2014

[2015] SCSC 17

SYLVETTE SHEILLA LESTE

Petitioner

versus

ROBIN LESTE

Respondent

Heard: 21 January 2015
Counsel: Mr. Camille for petitioner
Respondent – Not Available

Delivered: 21 January 2015

JUDGMENT

D. Karunakaran, Acting Chief Justice

[1] This is a petition for divorce. The Petitioner Sylvette, Sheilla, Leste has applied to this Court for a dissolution of her marriage on the ground that the marriage has irretrievably broken down because the parties have lived apart for a continuous period of more than one year immediately preceding the presentation of the petition and the Respondent has consented to the grant of divorce. The Respondent who was duly served with a copy of

the petition defaulted appearance. Hence, the Court granted leave for the Petitioner to proceed with an ex-parte hearing in this matter.

- [2] In a nutshell the Petitioner testified that she was lawfully married to the Respondent in Seychelles on the 3rd of October 1996. At the time of marriage the Petitioner was a spinster, whereas the Respondent a bachelor. Both parties are Seychellois nationals, domiciled and resident in Seychelles. The Petitioner is unemployed, whereas the Respondent is working as a driver. The Petitioner categorically testified that her marriage with the Respondent has irretrievably broken down since they have lived apart for a continuous period of more than two years prior to the filing of the petition. Moreover, she produced a letter of consent duly signed by the Respondent signifying his consent to the grant of divorce. She also testified that there has been no previous Court proceeding in respect of the said marriage in any Court either in Seychelles or elsewhere. Moreover, the Petitioner testified that the marriage has irretrievably broken down and there is no possibility for reconciliation between the parties. In the circumstances she stated that it is just and necessary that the marriage ought to be dissolved.
- [3] On the strength of the uncontroverted evidence I find that it is just and necessary that the marriage should be dissolved. Accordingly, I hereby dissolve the marriage.
- [4] WHEREFORE, I hereby make a conditional order for the dissolution of the marriage which should be made absolute within six weeks from the date hereof.
- [5] Petition granted accordingly. File is closed.

Signed, dated and delivered at Ile du Port on 21 January 2015

D Karunakaran
Ag Chief Justice