

**NOTE: PURSUANT TO S 169 OF THE FAMILY PROCEEDINGS ACT 1980,  
ANY REPORT OF THIS PROCEEDING MUST COMPLY WITH SS 11B, 11C  
AND 11D OF THE FAMILY COURT ACT 1980. FOR FURTHER  
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**IN THE FAMILY COURT  
AT WAITAKERE**

**I TE KŌTI WHĀNAU  
KI WAITĀKERE**

**FAM-2020-095-000487  
[2020] NZFC 10191**

IN THE MATTER OF	THE FAMILY PROCEEDINGS ACT 1980
BETWEEN	TASNEEM HIDAYATULLA KOKATE Applicant
AND	HIDAYATULLA ABDUL SATTAR KOKATE Respondent

Hearing:	19 November 2020
Appearances:	B Rashid for the Applicant No appearance by or for the Respondent
Judgment:	19 November 2020

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**ORAL JUDGMENT OF JUDGE B R PIDWELL**

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[1] This is an application to confirm an interim dissolution order that has issued by the registrar to dissolve the marriage between Tasneem Kokate and Hidayatulla Kokate. Mrs Kokate is present today represented by Ms Rashid. Mr Kokate resides in Victoria Australia.

[2] The reason that this matter is being heard in court is that he filed a document on 1 May this year, the day before the interim order issued by the registrar on 1 April would have automatically become a final order. He objects to the order becoming final on the basis that there are unresolved matters between the parties, primarily in terms of property.

[3] They have one child, who is no longer a child, and property matters do not need to be resolved before a dissolution is made.

[4] The application to confirm the interim order has progressed through the court and on 29 July the court directed that the respondent may attend by telephone. He has been advised of that and given information to telephone into the court platform this morning.

[5] The court has received a document dated 18 November from him which says, and I quote:

Due to the current pandemic situation in Victoria Australia, the border is still closed. I am requesting the honourable court to adjourn this hearing until the Victoria border is open.

[6] I am not going to adjourn this application to confirm the dissolution. Even if Mr Kokate had been able to attend by telephone with the court today, he has provided no grounds in law why the interim order should not be confirmed.

[7] The only grounds for dissolving the marriage under the Family Proceedings Act 1980 is for the parties to satisfy the court that they have been separated, i.e. living apart, for the two years preceding the date of the application. I am fully satisfied, on the evidence of Ms Kokate, that that has occurred, as was the registrar when the interim order issued.

[8] The issues raised by Mr Kokate are not relevant to the court's determination pursuant to s 42(4). The interim order of the registrar, issued on 1 April 2020, is hereby confirmed and takes effect as a final order.

[9] I am satisfied that the requirements of the Family Proceedings Act have been met and that the parties have been separated, as I have said. Therefore the dissolution order shall issue.

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Judge B R Pidwell  
Family Court Judge

Date of authentication: 25/11/2020  
In an electronic form, authenticated electronically.