

The reasons for judgment of the Court were delivered orally by:

HALLETT, J.A.

This is an appeal from an order for corollary relief under the **Divorce Act**, R.S.C. 1985, and relief under the **Matrimonial Property Act**, R.S.N.S. 1989, c. 275. The order was granted in what is referred to as an undefended proceeding pursuant to **Civil Procedure Rule 57**. The evidence before the learned trial judge did not support the order made which granted relief to the respondent under the **Matrimonial Property Act**. Accordingly, the appeal is allowed and that part of the corollary relief judgment dealing with the **Matrimonial Property Act** matters is set aside. Neither of the parties having sought costs, none will be ordered.

Hallett, J.A.

Concurred in:

Clarke, C.J.N.S.

Chipman, J.A.

NOVA SCOTIA COURT OF APPEAL

BETWEEN:

CHRISTINE MARY MACCULLOUGH)

Appellant)

- and -
FOR

REASONS

JUDGMENT

BY:
ROBERT BRIAN MACCULLOUGH)

Respondent)

HALLETT, J.A.
(orally)

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