

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

IN ITS GENERAL AND INHERENT JURISDICTION

INDIAN ADOPTION PETITION NO. 5 OF 2017

WITH

JUDGES ORDER NO. 44 OF 2017

IN

INDIAN ADOPTION PETITION NO. 5 OF 2017

KIARA REMEDIOS... Minor

Mr. Clifford Remedios

Mrs. Anita Remedios

..Petitioners

Mr. Rakesh Kapoor Advocate for the Petitioners.

Mr.O. Hareendran, Scrutiny Officer of ICSW.

CORAM : K.R.SHRIRAM, J.

(IN CHAMBERS)

DATE : 8TH MARCH, 2017

P.C.

1 This is a Petition for the adoption of female minor KIARA, born on 5th July, 2005 was an inmate of Missionaries of Charity, Mumbai. By an Order dated 8th December, 2010 passed by this Honourable Court in Guardianship Petition No. 72 of 2010, the said Missionaries of Charity proposed the said minor in Guardianship to the Petitioners. The said order dated 8th December, 2010 passed in Guardianship Petition No. 72 of 2010 is on record. The said petition is filed by the Petitioners as per the provision

of the Judgement dated 27th October, 1999 passed by the Honourable Shri Justice F.I.Rebello in ***Manuel Theodore D'souza & Mrs. Lourdes D'souza (Indian Guardianship Petition No.74 of 1999) alongwith Gordon Maurice Tone & Mrs.Jane tone (Indian Guardianship Petition No.75 of 1999)*** (2000 AII MR page 39).

2 I have considered the petition, annexures thereto and the Report dated 2nd March, 2017 from the Scrutiny Officer of Indian Council of Social Welfare (ICSW) which is taken on record and marked 'X' for identification.

3 The Petitioners are residing at Mazagaon, Mumbai aged about 53 and 51 years respectively. They have been married for the past 26 years with two biological daughters “Kleandra” aged about 23 years and “Kimberly” aged about 21 years.

4 The first petitioner is working as a Manager (Administration) with M/s Globe Ecologistics Pvt. Ltd., Sion, Mumbai since 1st October, 2015 and his gross annual remuneration is Rs. 3,96,000/-(Rupees Three Lakh Ninety Six Thousand only) His Salary Certificate and Income Tax Returns for the period of 2013-14, 2014-15 and 2015-16 are on record. The Second Petitioner is working as an Operation Manager with Maersk Lines India

Pvt. Ltd., Lower Parel, Mumbai and her annual CTS is Rs. 16,82,001/-. Her Salary Certificate and Income Tax Returns for the year 2013-14, 2014-15, 2015-16, and 2016-17 are on record. The Insurance Certificates, Bank References, Investments and proof of residence/property are on record.

5 Health Reports dated 8th December, 2016 of the Petitioner as well as the proposed minor are on record. In the said Report it is stated that both the Petitioners as well as proposed minor are physically and mentally fit.

6 As per the direction of the Order dated 8th December, 2010 passed by this Hon'ble Court On 13th December, 2010 the Petitioners have deposited Rs. 1,01,912/-(Rupees One Lakh One thousand nine hundred twelve only) in the name of the child in LIC's Jeevan Kishor with profit policy. They have also deposited on 28th September, 2013 the sum of Rs. 1,01,896/-(Rupees One lac one thousand eight hundred ninety six only) in the name of said minor child in LIC's Jeevan Kishor with Profit policy .

7 The Adoption Home Study Report dated 23rd January, 2017 of the adoptive family submitted by the Social Worker of Missionaries of Charity, Vile Parel, Mumbai is on record. The Follow up Report dated 23rd January, 2017 of said Minor "KIARA" is on record. In the said report it is

stated that she is normal. She has close bonding with her parents, especially with her mother with whom she spent time and her two sisters who are older to her. They have accommodated her. Therefore, I do not find any impediment in granting the relief sought in this petition.

8 In view of this, the petition is allowed and the Judges Order is separately signed.

(K.R. SHRIRAM, J.)