

Shephali

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
INDIAN ADOPTION PETITION NO. 84 OF 2018
WITH
JUDGE'S ORDER NO. 201 OF 2018**

Leslie Manvel Lemos And Magdalena Leslie
Lemos

...Petitioners/
Proposed
Adopters

Versus

Cindrela Leslie Lemos

...Minor

Mr Rakesh Kapoor, *for the Petitioner.*

Mr O Hareendran, *Scrutiny Officer, ICSW, is present.*

CORAM: G.S. PATEL, J
DATED: 10th October 2018

PC:-

1. The Indian Adoption Petition proposes the adoption of a female minor, Cindrela. She was born on 30th October 2003. She was an inmate of Missionaries of Charity, Mumbai. The Missionaries of Charity proposed her in Guardianship to the Petitioners vide Indian Guardianship Petition No.76 of 2006. The Petition was allowed by an order of dated 20th September 2006.

2. Following the judgment of FI Rebello J in *In Re: Manuel Theodore D'souza*¹ and my own order in *Mayur Gopal Salian & Anr*² this petition has been filed not two years, but one year, after the guardianship order. In that order, I have held that the two-year period required by the order in *In Re: Manuel Theodore D'Souza* is not inflexible. I held that increasingly there is urgency in obtaining orders of adoption especially in regard to a minor's education, investment, etc. There is sufficient reason set out in this petition to accelerate the time frame. Cindrela is now over 14 or 15 years old, and she will need a formal adoption order for various purposes for her own well-being and growth. She has also been with the adoptive parents virtually from birth.

3. The proposed adoptive parents reside at Vasai West, Dist. Palghar. They are 64 and 62 years old respectively. They have been married for 33 years and have no biological children of their own.

4. The medical reports of the young lady are on record. The report states that the minor is mentally and physically fit. All her development milestones are appropriate for her age. The health report of the adoptive parents and the minor show no abnormalities.

5. The motivation letter from the proposed parents, the decision of the Adoption Committee and the Affidavit of the Chief Functionary of the Petitioner are all on record.

1 (2000) 3 Bom CR 244.

2 (2018) SCC OnLine Bom 681.

6. The adoptive father retired person three years ago. He used to work as a skilled plumber in the Middle East for more than 25 years. His monthly income is Rs. 15,000/- from fixed deposits and other miscellaneous work. The adoptive mother is a housewife. The financial documents are in order.

7. The assessment report with the social worker is positive and recommends the adoption. It shows that the couple is having strong and stable marital life. There is updated home study report which is also positive.

8. The adoptive parents have invested a sum of Rs. 77,609/- in the name of the child in LIC's Jeevan Kishor with profits on 30th September 2006.

9. The documents being in order, I will allow the Petition. The Judge's Order is separately signed.

10. I have seen the scrutiny report presented by Mr O Hareendran, Scrutiny Officer of the Indian Council of Social Welfare, which is on record.

11. The Registry will get the Petition with all its annexures and all orders, including the signed Judge's Order, scanned. These digital copies are to be preserved. A soft copy may be given to the Advocate for the Petitioner free of cost on a pen drive provided by the Advocate for the Petitioner for the same. The Registry will ensure

that the scan of the Judge's Order is a properly calibrated colour scan.

(G. S. PATEL, J)