

Shephali

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
INDIAN ADOPTION PETITION NO. 85 OF 2018
WITH
JUDGE'S ORDER NO. 202 OF 2018**

Arun Anand Adhav And Monica Arun Adhav

...Petitioners/
Proposed
Adopters

And

Alina Arun Adhav

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 an adult female, Alina. She was born on 21th April 1996. She was an inmate of St. Catherine's Home, Mumbai. The St. Catherine's Home proposed her in Guardianship to the Petitioners Mr. and Mrs. Adhav vide Indian Guardianship Petition No. 113 of 1998 on 12th August 1998. That Petition was allowed by an order dated 12th August 1998.

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 was 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. Alina is now over 22 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 are Indian Nationals and reside at Borivali East, Mumbai. They are 65 and 66 years old. They have been married for 29 years and have no biological children of their own.

4. The medical reports for Alina are on record. The report states that the Alina is mentally and physically fit.

5. The adoptive father is a shipping consultant. His monthly income (inclusive of interest on Fixed Deposits from bank) is Rs. 28,000/-. The adoptive mother is a retired BMW employee. She receives a monthly pension of Rs. 20,666/-. The financial documents are in order.

1 (2000) 3 Bom CR 244.

2 (2018) SCC OnLine Bom 681.

6. The Home Study report of the social worker is positive and recommends the adoption.

7. The investment has already been fixed by the Judge's order dated 12th August 1998 at Rs. 25,000/- in Alina's name in UTI's Rajlakshmi Unit Scheme. The Petitioners have also invested Rs. 3,00,000/- in the bank in Alina's name as a monthly income scheme.

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

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

10. 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)