

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

IN ITS GENERAL AND INHERENT JURISDICTION

**JUDGE'S ORDER NO.246 OF 2018
IN
INDIAN GUARDIANSHIP PETITION NO.29 OF 2018**

In the matter of appointment of
guardian of female minor FAIZA
MOHD. YASIN MANSURI - aged
about 3 years 4 months under
Guardians and Wards Act, 1890.

Mohd. Yasin Husain Mansuri and
Fatimabai Mohd. Yasin Mansuri)...Petitioners
V/s.

Javed Usman Mansuri and
Salma Javed Mansuri)...Respondents.

Mr.Rakesh Kapoor for petitioners.
Mr.O.Hareendran, Scrutiny officer, ICSW present.

**CORAM : K.R.SHRIRAM,J
DATE : 19.12.2018**

P.C.:-

1 This is a petition for adoption of one female minor Faiza, born on 21/08/2015 who is the biological daughter of Respondents Mr. Javed Usman Mansuri and Mrs. Salma Javed Mansuri. The said minor Faiza is the third child of Respondents as they already have two older children, a daughter aged about 14 years old and a son aged about 7 years and a younger child a son aged

about 2 years, respectively. The said minor Faiza was handed over to Petitioners above-named since her birth for her better future and ultimate welfare and well-being. Petitioners and Respondents are close relatives i.e. the biological Father is the younger brother of Mrs. Fatimabai Mohd. Yasin Mansuri, the second Petitioner herein. The Consent Affidavit of birth of parents, i.e., Respondents is on record. The Birth Certificate of the minor issued by the Municipal Corporation of Greater Mumbai is on record.

2. Petitioners are Indian nationals residing at Pydhonie, Mumbai, aged about 49 and 46 years, respectively, have been married for the past 16 years i.e. on 14/03/2002 with no biological children.

3. The Health/fitness Certificates dated 10/10/2018 of Petitioners is on record and it states, "they are physically and mentally fit". Their HIV & HBsAg test Reports certifies the case as Negative.

4. The First Petitioner is self-employed (business of second hand dealers of hydraulic motor valves at Kurla, Mumbai) and his monthly income is Rs. 30,000/- as per Income Affidavit. His wife is a Housewife.

5. The proof of residence/property, copy of Aadhar Card, bank and other financial documents are on record.

6. The home study report dated 18/10/2018 issued by Ms. Clipsy Banji, BA, MSW, PGPDm states that the couple is medically fit and healthy, although Yasin has a slight hearing impediment, it does not hinder his day to day functioning. They earn a very decent income and have no major loans or liabilities. They also have good support from their family members in the decision to adopt Faiza. After all assessment, the Social Worker recommended the couple Mr. and Mrs. Yasin Mansuri as suitable adoptive parents.

7. There is a Notarized undertaking dated 12/10/2018 by the brother and sister-in-law of the second Petitioner residing at Mumbai to look after the proposed minor in case of any mishap to the Petitioners.

8. The health report of the proposed minor Faiza dated 10/10/2018 states "She is physically and mentally sound and fit". The Post card Size Photograph of the minor is on record. The consent and undertaking by petitioners is also on record.

9. I have considered the petition, annexures thereto and the report

dated 8.12.2018 of the |Scrutiny officer of Indian Council of Social Welfare (ICSW) which is taken on record and marked "X" for identification.

10. Documents being in order, Petition allowed. Judge's order signed separately.

(K.R.SHRIRAM,J)