

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

INDIAN ADOPTION PETITION NO.97 OF 2021

ALONG WITH

JUDGE'S ORDER NO.196 OF 2021

AND

JUDGE'S ORDER NO.197 OF 2021

Zal Sam Cooper and Kavita Zal Cooper .. Petitioners/Adoptive Parents

Taronish Zal Cooper .. Minor

Piran Zal Cooper .. Minor

Mr. Rakesh Kapoor, i/by Rakesh K.L. Kapoor and Co., for the Petitioners-
Adoptive Parents.

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

Mr. Dilip R. Talekar, Chamber Registrar, is present.

CORAM : A. K. MENON, J.

DATE : 25TH NOVEMBER, 2021.

P.C. :

1. The petitioners are Indian nationals, who are seeking to adopt two male children Taronish Zal Cooper born on 11th September 2010 and Piran Zal Cooper born on 9th March 2012. The children are the biological sons of one Firdosh Adil Dumasia and Kavita Firdosh Dumasia, both of whom have expired in 2016 and 2018 respectively. Upon demise of the parents, the minors have been in the care and custody of their paternal grand-father Adil

Dadabhoy Dumasia, who is unable to now look after the welfare of the children being of advanced age.

2. Having realized that he is unable to now look after the children, educate and bring them up, the prospective adoptive parents have expressed a keen desire to adopt the two minor children. The prospective adoptive parents have no biological children of their own and they seek an order permitting adoption of the children pursuant to a judgment dated 27th October 1999 passed by this court in Indian Guardianship Petition No.74 of 1999, along with Indian Guardianship Petition No.75 of 1999. It is also the case of the petitioners that the minimum waiting period of two years before granting a final order of guardianship is not sacrosanct. As recorded in the judgment dated 22nd April 2018 in Indian Adoption Petition No.32 of 2018, the petitioners have declared that the two minors have been in their care and custody for the last two years and have developed a emotional bond between them. The siblings also had developed a liking for the prospective adoptive parents and hence they seek an order permitting them to declare and adopt the petitioners as the adoptive parents of the two minor children.

3. From the record, I find that the prospective adoptive father is well placed. He is of substantial means and they have already made investments in the name of the two minor children with the LIC, which would benefit the children in future. The Home Study Report has been found to be acceptable. The children are presently studying in Standard 5 and 4 respectively as

residential scholars. This has been also certified by their school. Friends and well-wishers have supported the adoption, as evident from the annexures to the petition. In these circumstances, I have no hesitation in allowing the petition. Accordingly, I pass the following order :-

- (i) Petition is allowed in terms of prayer clauses (a), (b) and (c).
- (ii) Judge's Order is signed separately.
- (iii) Petition is disposed in the above terms.

(A. K. MENON, J.)