

Sharada

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

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INDIAN ADOPTION PETITION NO. 77 OF 2024
WITH
JUDGE'S ORDER NO. 121 OF 2024
IN
INDIAN ADOPTION PETITION NO. 77 OF 2024

Mr. Alvin Tauro and Mrs. Lydia Alvin Tauro ...Petitioners

Mr. Rakesh Kapoor i.by Kapoor and co., Advocate for the Petitioner.

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

Mr. D.S. Gurav, Chamber Registrar present.

Mrs. Lydia Alvin Tauro – Adoptive Mother Present.

Ms. Tania Alvin Tauro – Adoptive daughter present in Chamber.

CORAM : R.I. CHAGLA, J.

DATE : 4TH SEPTEMBER 2024

ORDER :

1. By this Indian Adoption Petition the Petitioners are seeking adoption of the female minor Tania Alvin Tauro (“**the said Adoptee**”). The Petitioners had filed Indian Guardianship Adoption Petition No.31 of 1998 to declare themselves as Guardians of the said Adoptee and pursuant to the Missionaries of Charity proposing the said Adoptee in Guardianship to the Petitioners. The Guardianship Petition was allowed by this court vide its order dated 11th March, 1998. The Guardianship Order is on record at page Nos.15-18 to the Petition.

2. The above Indian Adoption Petition is filed by the Petitioners as per the judgment dated 27th October, 1999 of the then Justice Shri F. I. Rebello (2000 All MR Pg.39).

3. The Petitioners are Indian Nationals residing at Chembur, Mumbai, both aged about 66 years, having been married for the last 40 years (27/05/1984) and have no biological children.

4. The Medical Certificate of the Petitioner dated 26/02/2024 states “Both have no chronic illness”. The said Medical Certificate is on record at page No.25 to the Petition. The Latest Family Photograph is on record at page No.19 to the Petition.

5. The Medical Certificate dated 19/04/2024 of the said Adoptee and its states, “She is fit and healthy”. Her Latest Photograph, Aadhar and Pan card copies and consent to this adoption are on record at page Nos.53-55 & 57 to the Petition.
6. The Petitioner No.1 is a Retired Government employee. He is getting Rs.1,20,000/- annually through Pension and interest from fixed deposits. His Income Affidavit and Income Tax Return are on record at page Nos.26-35 to the Petition. The Petitioner No.2 is a Homemaker.
7. The supportive financial documents and Proof of Residence are on record at Page Nos.36-41 to the Petition.
8. The Adoption Home Study Report dated 29/02/2024 of the Social Worker Ms. Clipsy Banji, BA, MSW, PGPDm is on record at page Nos.42-44 to the Petition and the Social Worker has recommended the said Adoptee’s case for adoption, as it will be in the best interest of the said Adoptee.
9. The follow up Report of the said Adoptee dated 29/02/2024 states “Tania is a 27 years old healthy and bubbly young woman; full of

life and enthusiasm. She has well adjusted to everyone in the household and all the extended family relations. Tania has grown to be a matured young woman who is aware of her adoptive status. She has a background in hotel management, and has completed an internship in Mumbai and has worked several hotels in Mumbai. Recently she quit her job to care for her father, who requires around-the-clock care. Her plans include expanding her knowledge and skill in her current field and working on obtaining Certifications or an MBA to advance her career". The said report is on record at page Nos.45-46 to the Petition.

10. The Recommendation letters in support of adoption of the said Adoptee from relatives and friends are on record at page Nos.49-52 to the Petition.

11. Mr. O. Hareendran, Scrutiny Officer has tendered Report / Representation or the Indian Council of Social Welfare (ICSW) dated 15/08/2024 which is taken on record and marked 'X' for identification.

12. The Scrutiny Officer has recommended based on the Indian Guardianship Petition No.31 of 1998 granted on 11/03/1998 by this court in favour of the Petitioners and the latest home visit report/progress report prepared by the Qualified Social Worker, that

the said Adoptee is well integrated into the adoptive family.

13. The said Adoptee along with the Petitioners were present for today's hearing. From the interaction with them I find that the said Adoptee is well adjusted and has a positive approach to life as well as aware of the circumstances around her. The said Adoptee was accompanied by the Petitioner No.2. Considering that the Adoptive Parents have already deposited the sum of Rs.15,000/- in the name of the said Adoptee, there is no question of any further investment.

14. In these circumstances, the Petition is allowed in terms of prayer clauses (a) to (c) of the Petition, which read thus:-

“(a) “ That this Hon’ble Court may be pleased to declare the Petitioners as Adoptive Parents of the said female Tania Alvin Tauro, under the guardianship of the Petitioners.

(b) That this Hon’ble Court may be pleased to condoned the delay in filing the present Petition.

(c) That the concerned Municipal Authority / Birth Certificate issuing Authority may be directed to issue Birth Certificate in the name of the said female Tania Alvin Tauro, born on 27/07/1997 and stating that thereon that the Petitioners as the Parents of the said female Tania Alvin

Tauro".

15. The Judge's Order is also accepted and separately signed.
16. The Indian Adoption Petition is accordingly disposed of.
17. There shall be no orders as to costs.

[R.I. CHAGLA, J.]

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