



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO.2573 OF 2025

Veronica Alexander Alias Veronica VasPetitioner

Vs.

Union of India & AnrRespondents

Mr. Ryan D'Souza with Ms. Sunita Serrao, i/b. P. Vas & Co., for the Petitioner.

Mrs. Shehnaz V. Bharucha, i/b. Ansari, for the Respondent No.1.

Mr. Nishigandh Patil, AGP for the Respondent No.2.

**CORAM : REVATI MOHITE DERE &
DR. NEELA GOKHALE, JJ.**

DATE : 1st AUGUST 2025.

P. C.:

1. By way of this Petition, the Petitioner seeks to be declared as legal guardian of her son Arnold, aged about 38 years being born on 19th September 1987. She seeks to be appointed as his legal guardian for the purpose of initiating, defending, prosecuting and dealing with legal proceedings on his behalf as well as to manage his movable and immovable properties belonging to him or forming part of the estate of his late father, which Arnold may stand to inherit by law.

2. By order dated 24th June 2025, we had directed the Medical Superintendent of Sir J.J.Group of Hospitals to constitute a

Medical Board including a Neurologist, to examine the Petitioner's son and submit a report to this Court. Accordingly, a report dated 10th July 2025 is submitted by the Medical Board. The said report is taken on record.

3. Heard Mr. Ryan D'Souza, learned counsel for the Petitioner, Mrs. Shehnaz Bharucha, learned counsel for the Respondent No.1 and Mr. Nishigandh Patil, learned AGP for the Respondent No.2 and perused the record with their assistance.

4. It is the case of the Petitioner that she is an adult, presently residing at Dubai, UAE. Arnold is her son. He was born with cognitive defect and is diagnosed with down syndrome rendering him incapable of managing his affairs independently.

5. Arnold's father and Petitioner's husband namely Edward Valentine Joseph Vas died intestate on 17th May 2017 leaving Arnold as his sole legal heir. The Petitioner and Mr. Edward were divorced prior to his death. The Petitioner, Arnold's mother, is keen and concerned about his care and welfare and hence, in order to protect his rights and interests, she seeks to be appointed as his legal guardian

for the purpose of prosecuting legal proceeding initiated/to be initiated by or against him.

6. We have gone through the report tendered by the Medical Board. It appears from the report that Arnold has a moderate intellectual disability with 75% permanent disability. In the opinion of the Medical Board, he is dependent on family members for his person and legal/financial need and it is necessary to appointed a guardian to look after his interest.

7. In view of the submissions made before us, the averments in the Petition as well as the opinion of the Medical Board, we deem it appropriate to appoint the Petitioner, the biological mother of Arnold as also his legal guardian, to look after, care for and manage his interest. The Petitioner is permitted to represent Arnold in all litigation pending or initiated/to be initiated in respect of the properties belonging to Arnold as well as properties in which he may acquire rights and interest. The Petitioner is also permitted to manage movable and immovable properties of Arnold and to ensure that paramount consideration is given to the welfare and well-being of Arnold and his interests.

8. The Petition is thus allowed in the aforesaid terms. The Petition is accordingly disposed of.

9. All parties to act on an authenticated copy of this order.

(DR. NEELA GOKHALE, J.)

(REVATI MOHITE DERE, J.)