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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
FOREIGN ADOPTION PETITION NO. 47 OF 2016**

MSWC, Asha Sadan	...Petitioner
<i>Versus</i>	
Christian Andreas Staahl & Jennie Madelene Staahl	...Proposed Adopters

Smt. Lalita Jayraj, *for the Petitioner.*
Mr. O. Hareendran, *for ICWA.*

CORAM: G.S. PATEL, J
DATED: 13th July 2016

PC:-

1. The Petition proposes the adoption of a female minor named Swara born on 4th January 2015. She was admitted to Asha Sadan on 9th January 2015 by her biological mother who was also a minor. Swara was then placed before the Child Welfare Committee, Mumbai.

2. On 2nd February 2015, her biological minor mother surrendered Swara to the Child Welfare Committee. The necessary documents are on record. There followed a reconciliation period and the review period of a year. No one came forward to claim the child. There was no legal claim and Swara was, therefore, declared free for adoption. The No-objection Certificate from Central

Adoption Resource Authority (“**CARA**”) in accordance with the guidelines is on record.

3. The proposed adoptive parents are both from Sweden. They are aged 35 years and 32 years respectively. They have been married for four years but have lived together since 2009. Due to certain medical reasons, they have no children of their own. The father works as an Insurance Agent. His wife also works with the same company but as a Insurance Loss Adjuster. Their financial documents are on record and they seem satisfactory.

4. As to the child care arrangement plan, it is on record that in Sweden the parents have right to take parental leave for total 480 days. This is quite considerable. In addition, the parents are supported with finance from the State. The actual days of parental leave are to be divided between the parents as they wish. However, each parent must compulsorily take 60 days of parental leave. In addition, the parents can apply for subsidized public day nursery, if required.

5. The Home Study Report is also on record. The parents live in a separate home in a child-friendly area. The house is well suited for children. It is obviously a suitable and comfortable home.

6. While the HIV report of the minor is negative, there is a medical examination report that says that she has a congenital heart condition. This has been noted in the medical examination report, which the adopters have signed. An updated report, as also a report

from Dr. Parag Bhagat, a Cardiologist at Wockhardt Hospital are tendered. These are taken on record and marked “X1” and “X2” for identification. In addition, Ms. Jayraj tenders a Power of Attorney of the adoptive parents in favour of Mrs. Farida Patel and Mrs. Jaishri Cadambi, respectively Convenor and President of the MSWC. This is taken on record and marked “X3” for identification.

7. The declarations of willingness and undertakings from the adoptive parents are on record as are the undertakings from the foreign adoption agency. The scrutiny report signed by Mr. Hareendran of the ICSW and dated 25th June 2016 is submitted. It is taken on record and marked “X4” for identification.

8. In view thereof, the Petition is allowed.

9. The Judge’s order is separately signed.

(G. S. PATEL, J.)