

JSN

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
AND
IN ITS GENERAL AND INHERENT JURISDICTION
JUDGE'S ORDER NO.146 OF 2016
IN
FOREIGN ADOPTION PETITION NO.50 OF 2016**

St. Catherine's Home

...Petitioner

And

Mr. Rohit Kumar Upasani and Another

...Proposed
Adopters

Mr. Rakesh Kapoor, for the Petitioner.

Mr. O. Hareendran, Scrutiny Officer of ICSW.

CORAM: G.S. PATEL, J

DATED: 10th August 2016

PC:-

1. The Petition proposes the adoption of a female minor Vini. She was born on 7th July 2015. On 13th July 2015, her biological mother relinquished her to the Child Welfare Committee, Mumbai Suburban District. Custody was then given to the Missionaries of Charity, Mumbai till 25th September 2015 under an order dated 13th July 2015. Vini was then transferred to St. Catherine's Home, Mumbai on 15th September 2015 under an order of the Child

Welfare Committee. On 9th October 2015, the Child Welfare Committee, MSD declared Vini legally free for adoption. This was on the basis of a document of surrender executed by the parents, the intake case sheet of the biological mother and other necessary documents. The undertaking by the Petitioner institution is on record, as is the approval of the Central Adoption Resource Authority (CARA).

2. The proposed adopters are British Nationals of Indian origin aged about 37 and 34 years respectively. They have married for 11 years. They have no children of their own. Their health reports are positive. The father is a self-employed Director and majority shareholder of a Company with a substantial income. The adoptive mother works as an underwriter with AXA, U.K. Their financial documents are in order. The home study report which is on record recommends the adoptive parents Rohit and Neha for the adoption of one child aged 12 to 24 months of age from India. There is also an updated report of 12th January 2016, which says that Rohit has since the report was first made changed jobs and since December 2015 is a self-employed as an IT Consultant providing services to British Telecom through a company called TGC World. Both parents are still committed to the adoption. The change in Rohit's job situation has not altered the recommendation.

3. The health reports of all of the parents and minor are positive.

4. I have on record before me a Scrutiny report filed by Mr. Hareendran, Scrutiny Officer of the ICSW. This is taken on record and marked “X1” for identification. Mr. Kapoor for the Petitioners tenders a compilation containing the Child Care Plan and updated health reports.

5. In the child care report, Neha says that she will take a minimum of six months’ leave to care for Vini and will increase this leave should the need arise. Once she resumes work, her mother Mrs. Surekha Shawrikar, and mother-in-law Mrs. Geeta Upasani will be available to take care of the child. Rohit will also be taking a month’s leave when Vini first comes home.

6. I am satisfied that the Petition ought to be granted.

7. In view thereof, the Judge’s Order is separately signed.

(G. S. PATEL, J.)