

JSN

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
AND
IN ITS GENERAL AND INHERENT JURISDICTION
JUDGE'S ORDER NO. 172 OF 2016
IN
FOREIGN ADOPTION PETITION NO. 61 OF 2016**

MSWC, Asha Sadan

...Petitioners

And

Christopher Joseph Field and another

...Proposed
Adopters

Ms. Lalita Jaya Raj, for the Petitioners.

Mr. Neville Bilimoria, from of Asha Sadan

Mr. O. Hareendran, Scrutiny Officer of ICSW.

CORAM: G.S. PATEL, J

DATED: 5th October 2016

PC:-

1. I have before me a Petition proposing the adoption of female minor named Teena born on 17th November 2015. There is scrutiny report of Mr. Hareendran which is taken on record and marked "X" for identification. Ms. Lalita Raj for the Petitioners tenders a copy of a letter dated 13th September 2016 from the United States Embassy, Office of Children's Issues addressed to Central Adoption Resource

Agency (CARA) confirming that the adoptive parents are eligible for adoption and that the minor will be authorised to enter and reside permanently in the United States. This document is taken on record and marked “X1” for identification.

2. I have considered the remaining documents. They are in order, including the financial documents, the home study report, the child care arrangement plan and the child security declaration. I note that the joint investments of the couple are in excess of US\$ 1.6 Million and the total asset base is approximately US\$ 2.5 Million. In my view this is ample.

3. The one remaining concern is that the child is HIV positive. So too was her mother. The child is being treated. Mr. Neville Bilimoria from Asha Sadan reports that in such cases, between the ages of 18 and 24 months (the child is today less than a year old) the HIV status is likely to improve and become negative. In any case the adoptive parents are aware of the conditions. They have visited Asha Sadan as recently as two months ago. They have repeatedly confirmed that not only are they aware of the child’s HIV condition but they are extremely keen to proceed with the adoption.

4. In view of this, the Petition is allowed and the Judge’s Order is separately signed.

(G. S. PATEL, J.)