

JSN

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
AND
IN ITS GENERAL AND INHERENT JURISDICTION
JUDGE'S ORDER NO. 189 OF 2016
IN
FOREIGN ADOPTION PETITION NO. 67 OF 2016

Mr. Vipul Bharat Thakkar and Another ...Petitioners
And
Mr. Vijay Kamlesh Nichaney and Another ...Respondents

Mr. Rakesh Kapoor, for the Petitioner.
Mr. O. Hareendran, Scrutiny Officer of ICSW.

CORAM: G.S. PATEL, J
DATED: 26th October 2016

PC:-

1. This is an unusual Foreign Adoption Petition. The minor is a female named Tiyaasha Nichaney. She was born on 7th April 2015 and is therefore, about 18 months old today. Her biological parents are Mr. Vijay Kamlesh Nichaney and Suman Vijay Nichaney. They live in Kharghar, Navi Mumbai. They are present before me today. They have a son named Jai, who is today about 12 years old. What is proposed is that Vijay and Suman Nichaney will give up their daughter, the minor in question, in adoption to Suman's sister Mrs. Meenu Vipul Thakkar and her husband Vipul Bharat Thakkar. Vipul and Meenu Thakkar are also present. The only reason for seeking

this is that the Nichaneys had not planned on a second child. At the same time, they are anxious to ensure that Tiyasha has the best possible upbringing.

2. This is an understanding that both sets of parents have arrived at. While this is unusual, I do not think that it is for that reason unsatisfactory or should be denied. In fact, I think it is probably preferable that Tiyasha find good home within the family. I will of course leave it to good sense of parents on both sides as to whether or not to tell her of this adoption as she grows older. That however is also not a reason to refuse this adoption.

3. The adoptive parents live in Edison, New Jersey, in the United States. The adoption has been approved by agencies both here and America. The 1st Petitioner Vipul was previously married. He is divorced. He has no children by his previous marriage. He works as the Chief Manager with ICICI Bank's New York branch at an annual salary of over US\$ 1,09,479/-. The 2nd Petitioner Meenu is a housewife. I have seen the financial documents, the child care plan, and the home study reports. There is also letter from a friend of the Thakkars agreeing to serve as lawful guardian of minor should the need arise.

4. All the documents being in order, I will allow the Petition. The Judge's Order is separately signed.

5. Mr. Hareendran's Scrutiny Report is taken on record and marked "X" for identification.

6. Mr. Kapoor tenders a compilation containing a divorce decree and the original NOC from CARA. This is taken on record and marked "X1" for identification.

(G. S. PATEL, J.)