

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

IN ITS GENERAL AND INHERENT JURISDICTION

FOREIGN ADOPTION PETITION NO. 6 OF 2017

WITH

JUDGES ORDER NO. 16 OF 2017

IN

FOREIGN ADOPTION PETITION NO. 6 OF 2017

Dattaraj alias Om Avinash Mulye ... Minor

Dronagiri Shikshan Sanstha, Mhaswad

.. Petitioner

And

1) Mr.Avinash Pramod Mulye,
American National, aged 45 years &

2) Mrs.Gouri Suresh Landge, American
National, aged 45 years, wife of
Mr.Avinash Pramod Mulye

.. Proposed Adopters

MsAarti P. Kulkarni for petitioner.

Mr.O. Hareendran, Scrutiny Officer of ICSW.

**CORAM : K.R.SHRIRAM, J.
(IN CHAMBERS)**

DATE : 8TH FEBRUARY, 2017

P.C.

1 The petition proposes adoption of a male minor Dattaraj alias Om Avinash Mulye, born on 31st July 2015 by two American Nationals of Indian Origin (OCI Card Holders) based in California, USA. The minor-Dattaraj was relinquished by his biological mother before the Child Welfare

Committee on 2nd August 2015 and the custody was given to the petitioner as per the order of CWC, Satara. The CWC, Satara has issued an order dated 8th February 2016 declaring the child legally free for adoption on the basis of inquiry report of the Social Worker of the Specialized Adoption Agency (SAA), Deed of Surrender executed by the parents of the child, deed of Declaration submitted by DCPU and the SAA to the effect that they have made restoration efforts as required in law, but nobody has approached the agency for claiming the child. It is also stated that the biological parents have been counseled and duly informed of the effect of their consent and that the adoption will result in the termination of the legal relationship between the child and his biological family. It is also stated that the biological parents have given their consent freely and the consent has not been obtained by inducement or by making payment or compensation of any kind. The undertaking/affidavit from the petitioner is on record. The Central Adoption Resource Authority (CARA), New Delhi has issued no objection certificate dated 24th August 2016 and corrigendum dated 30th August 2016. Since only photocopies were annexed, the petitioner's Advocate tenders a compilation containing original of the NOC and corrigendum issued by CARA. The same is taken on record and marked 'X' for identification.

2 The proposed adoptive father is aged 46 years and the proposed adoptive mother is aged 45 years. It is stated that they have been married for 17 years with no biological children. The health report of the proposed adoptive parents are also positive. The adoptive father is working as a Contract Project Manager with Radiansys Inc. California and earns about US\$ 10,000 per month and the mother is working as a Component Design Engineer with Intel Corporation and earns around US\$ 12,000 per month. Their Income Tax Reports for 2014, 2013 and 2012 are also annexed. So also the bank references, property tax certificates and financial statements etc.

3 The Scrutiny Officer of ICSW has filed a report dated 3rd February 2017 which is taken on record and marked 'X-1' for identification in which it is stated that the childcare arrangement plan received from of the proposed adoptive parents is satisfactory. Home Study report of the concerned authorities in USA are on record and are satisfactory. The approval letters from the concerned Department of Homeland Security is also on record together with recommendations letters from close friends. Guardianship undertaking given by the 2nd proposed adopter's sister and brother-in-law residing in Pune to take care of the said minor in case of any unforeseen mishap to the proposed adopters is also on record. The medical

reports of the minor as well as the adoptive parents are positive. The Medical Report of the child is countersigned by the proposed adoptive parents. Therefore, I do not find any impediment in granting the relief sought in this petition.

4 In view of this, the petition is allowed and the Judges Order is separately signed.

(K.R. SHRIRAM, J.)