IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS GENERAL AND INHERENT JURISDICTION

FOREIGN ADOPTION PETITION NO. 16 OF 2017
WITH
JUDGES ORDER NO.64 OF 2017
IN
FOREIGN ADOPTION PETITION NO. 16 OF 2017

Female Minor : RENUKA

Vatsalya Trust .....Petitioner

And

1.Mr. Daniel Joseph Bankson
2.Mrs.Emilie Rose Bankson ....Proposed Adopters.

Ms. Sangeeta Nagpal, for petitioner.
Mr.O. Hareendran, Scrutiny Officer of ICSW present.

CORAM : K.R.SHRIRAM, J.
(IN CHAMBER)
DATE : 5th APRIL, 2017

P.C.:

1 The petition proposes adoption of a female minor RENUKA, born on 13th February, 2014 by a married couple who are American Nationals. The said Minor Renuka was found on 13th May, 2014, abandoned at Karjat Railway Station platform of local trains. The charge of the Minor Renuka was taken by the Karjat Railway Police. As per the order dated 16th May, 2014 passed by the Child Welfare Committee, Karjat, Dist : Raigad, the Minor Renuka was admitted to Vatsalya Trust, Alibag for her care and protection. Thereafter, Minor Renuka was transferred to the

petitioner's institution, i.e., Vatsalya Trust, Kanjurmarg, Mumbai on 21st July, 2014 on permanent basis for her medical treatment.

2 The Child Welfare Committee issued a Certificate on 10th February, 2016 declaring that Minor Renuka was legally free for adoption. In the said Certificate it is stated that in exercise of the powers vested in the Child Welfare Committee, Karjat, Dist : Raigad, under section 41(4) of the Juvenile Justice Act, 2000, Minor Renuka was placed in the care of the specialized adoption agency/Child Care Institution, Vatsalya Trust, Mumbai. Minor Renuka was declared legally free for adoption on the basis of Enquiry Report of the Social Worker, Declaration submitted by the District Child Protection Unit (DCPU) and the Specialized Adoption Agency to the effect that they have made efforts as required under the guidelines and relevant rules, but nobody has approached the agency for claiming the child as biological parents or legal guardian as on date of the said declaration.

3 The Central Adoption Resource Authority (CARA), New Delhi has given No Objection Certificate dated 9th December, 2016 in conformity with the “Guidelines Governing the Adoption of Children. The said No Objection Certificate issued by CARA is on record.

4 I have considered the petition, annexures thereto and the Report dated 1st April, 2017 from the Scrutiny Officer of Indian Council of Social Welfare (ICSW), which is taken on record and marked 'X' for identification. The Undertaking and Affidavit of the proposed adopters are on record.

5 The proposed Adopting father and mother are American Nationals, residing at 221 Winchester Way, Prattville, Alabama, U.S.A., aged about 35 and 34 years, respectively. They have been married for the past 9 years with no biological or adopted children. The Health Report dated 11th January, 2016 of the proposed adopters are on record. It is stated in the said Report that the proposed adopters are physically and mentally well and their HIV Reports are Negative.

6 The proposed Adoptive father is working as Full Time Registered Nurse with Baptist Health at Prattville Baptist Hospital, Alabama since 26th May, 2015 and his gross amount of pay for year 2016 was US$ 50.330.94. The proposed Adoptive mother is working as Product Performance Manager with International Paper Riverdale Mill, Alabama and her current annual salary is US$ 98,498. The Proposed Adopters Individual Income Returns, Financial Statement, Residence Certificate and Bank References are on record.

7 The Child plan from the proposed adopters and the Home Study Report dated 30th April, 2016 submitted by the authorities of Children of the World, INC, USA are on record. The Provisional Approval Notice dated 26th June, 2016 from the Department of Homeland Security, and "Article 5" letter dated 18th October, 2016 from the Embassy of The United States of America (U.S.A.) are also on record.

8 The Medical Report dated 11th May, 2016 of Minor Renuka is on record. It is stated in the said report that Minor Renuka is physically and mentally normal. Medical Report dated 21st December, 2016 of Minor Renuka issued by Seven Hills Hospital, Andheri, Mumbai is also on record. It is stated in the said Report that her Surgery Report is good. There is no need for any cardiac medications. H.I.V. Report dated 1st December, 2016 of the Minor Renuka is Negative. The said Medical Reports of the Minor Renuka are countersigned by the proposed Adopters.

9 The Declaration of willingness and undertaking and child acceptance letter from the prospective adoptive parents is on record. An Undertaking dated 23rd April, 2016 given by the authorities of Children of the World, INC., U.S.A., is on record. The Power of Attorney executed by the proposed adopters in favour of the petitioner is also on record.

10 In view of the above, the petition is allowed and the Judges Order is separately signed.

(K.R. SHRIRAM, J.)