

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

IN ITS GENERAL AND INHERENT JURISDICTION

**FOREIGN ADOPTION PETITION NO.24 OF 2017
WITH
JUDGES ORDER NO.95 OF 2017
IN
FOREIGN ADOPTION PETITION NO.24 OF 2017**

Female Minors: PRIYA

Bal Anand

....Petitioner

And

1 Sven Marcus Tobias Sandqvist

2 Jenny Camila Sandqvist

.....Proposed Adopters.

Mr. Rakesh Kapoor , Advocate for the Petitioner

Mr. O. Hareendran, Scrutiny Officer of ICSW present.

CORAM : K.R.SHRIRAM, J.
(IN CHAMBER)

DATE : 3rd May 2017

P.C.:

1 The petition proposes adoption of a female Minor PRIYA , born on 14th August, 2015 by a married couple who are Swedish Nationals. On 16th August, 2016 the biological mother has relinquished Minor Priya before the Child Welfare Committee, Mumbai Suburban District, Mankhurd .She made a statement before the Child Welfare Committee that the biological father of Minor Priya has died and she unable to take care of Minor Priya due to financial instability. As per Order dated 16th August, 2016 passed by the

Child Welfare Committee, Mumbai Suburban District, under section 33(i) of Juvenile Justice Act, 2000, the custody of Minor Priya was given to the Petitioner Institution World children Welfare Trust India, Bal Anand, Chembur, Mumbai.

2 The Child Welfare Committee has passed an Order on 11th November, 2016 In the said Order it is stated that in exercise of the powers vested in the Child Welfare Committee Mumbai Suburban District, under sub section (i) of Section 28 of the Juvenile Justice (Care & Protection Of Children) Act 2015 and in view of the document of surrender executed on 16th August, 2016 by the biological mother before the Child Welfare Committee Mumbai Suburban District, Mankhurd, Mumbai, Minor Priya was placed in custody of Specialize Adoption Agency, Bal Anand, Mumbai. By an order dated 11th November, 2016 passed under section 39(1) Juvenile Justice Act, 2015 by the Child Welfare Committee and on the basis of (a) Intake case sheet of the biological mother submitted by the Social Worker Of the Specialized Adoption Agency, (b) Document Of Surrender executed by the biological mother in the presence of the Committee and (c) the Declaration submitted by the Specialized Adoption Agency, Minor Priya was declared legally free for adoption. An Undertaking/Affidavit executed by the authorized representative of Petitioner Institution is on record.

3 The Central Adoption Resource Authority, New Delhi (CARA) has given No Objection Certificate dated 15th March, 2017 to this adoption in conformity with the Adoption Regulations 2017. The said No Objection Certificate issued by CARA is on record.

4 I have considered the petition, annexures thereto and the Report dated 29th April, 2017 submitted by the the Scrutiny Officer of Indian Council of Social Welfare (ICSW). The report is taken on record and marked 'X' for identification.

5 The proposed Adopting father and mother are Swedish Nationals, residing at Vilhelmina, Sweden, aged both 36 and 40 years respectively. They have been married for the past five(5) years with no biological or adopted children. The Medical report dated 6th September 2016 of the proposed adopters is on record. It is stated in the said report that they are physically and mentally well. Their HIV Report are non-reactive.

6 The proposed Adoptive Father is working as a Process Technician at Swerock in Vilhelmina, Sweden and his income for the year 2015 was SEK 269 700 . The proposed Adoptive Mother is working as an Assistant Nurse at Strandbacka- a Home for Elderly demented people in Vilhelmina, Sweden

and her income for the year 2015 is SEK 281 000. The Employment/Salary Certificate, Bank Reference, supportive financial documents, Childcare Plan arrangement declaration as well as Consent and Willingness of the proposed adopters needs to be submitted. The counsel for the petitioner has tendered a compilation of documents containing (i) letter of consent and declaration and willingness dated 6.04.2017; (ii) Income Certificate of first proposed adopter dated 7.04.2017, (iii) Income Certificate of second proposed adopter dated 5.04.2017, (iv) Bank reference dated 6.04.2017; (v) Child Care Plan dated 9.04.2017; and (vi) Certificate on Authorization from Family Law and parental support authority of Sweden dated 31.01.2017. The same taken on record and marked as X-1 for identification.

7 Home Study Report dated 2nd June 2016 of the prospective adopters submitted by the authorities of Swedish National Board Of Health and Welfare, Vilhelmina, Sweden is on record. Approval/Permission from the Social Welfare Committee, Municipality Of Valhelmina is on record.

8 The Medical Report dated 17th November, 2016 of Minor Priya is on record. The H.I.V. Report dated 5th April, 2017 of Minor Priya is Negative. The Medical Reports of Minor Priya are countersigned by the proposed

adopters.

9 An Undertaking dated 19th January, 2017 given by the Sponsoring Agency “Children Above All Adoptions”, Sweden is on record.

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

(K.R. SHRIRAM, J.)