

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

INDIAN ADOPTION PETITION NO. 17 OF 2017
WITH
JUDGE'S ORDER NO. 233 OF 2017**

SWTI, Bal Vikas Shishi Bhavan

...Petitioner

vs

1. Nitin Arunkumar Madan
2. Mrs. Deepthy Menon wife of
Nitin Arunkumar Madan

...Prospective
Adoptive Parents

Smt. Lalita Jaya Raj, Advocate for the Petitioner.

Mr. O. Hareendran, Scrutiny Officer, Indian Council of Social Welfare,
present.

Mr. Nitin Arunkumar Madan and Mrs. Deepthy Nitin Madan, Proposed
Adopters present.

**CORAM : S.C. GUPTE, J.
(IN CHAMBERS)**

DATED: 8 NOVEMBER, 2017

P.C. :

Heard Smt. Lalita Jaya Raj, learned Counsel for the Petitioner,
and Mr. O. Hareendran, Scrutiny Officer, Indian Council of Social Welfare
(ICSW). The prospective adoptive parents are present in the Chambers.

2 This petition seeks adoption of a female minor Aaradhya. The
child was born on 28 May 2017 and relinquished by the biological mother
with Child Welfare Committee, Mumbai, Suburban District, Mumbai on 5
June 2017. Pursuant thereto, custody of the child was given to the
Petitioner institution in accordance with an order passed by the Child

Welfare Committee on 5 June 2017 under Section 33(i)(a) read with Section 36(1) of the Juvenile Justice (Care and Protection of Children) Act, 2015.

3 Based on the report of the social worker, a Deed of Surrender executed by the biological mother and declaration of the Specialized Adoption Agency, the Child Welfare Committee has issued a certificate declaring the child to be legally free for adoption. The certificate is placed on record.

4 The proposed adopters are Indian Nationals residing at New Delhi, aged about 39 and 38 years, respectively. They have been married for the past five years with no biological children. The relevant documents, such as their motivation letter, affidavit of the Specialized Adoption Agency, the decision of the Adoption Committee and health report of the proposed adopters, are placed on record. The report shows that the proposed adopters are in good mental and physical health with HIV and HBsAg tests in the negative.

5 The first proposed adopter is working as a Vice President with Micro-Credit Ratings International Ltd., Gurgaon since 2012, whereas the second proposed adopter is working as a Communication Lead with Smart Power for Rural Development India Foundation, Gurgaon since February 2017. The salary statements together the Tax Returns for three Assessment Years and other identity documents of the proposed adopters are placed on record.

6 The home study assessment has been carried out by the Delhi

Council for Child Welfare. The assessment considers in detail various aspects, such as psycho-social assessment, home visit findings, interaction with family members, financial as well as physical and emotional capacity of the proposed adopters, based on which the social worker recommends prospective adoptive parents for adoption of the minor child Aaradhya.

7 Along with the Home Study Report, which in part consists of a self-assessment by the proposed adopters, the child security undertaking by near relatives, namely, the sister and brother-in-law of the second proposed adopters residing in Mumbai to look after the minor child in case of any mishap of the proposed adopters, is also placed on record.

8 The medical assessment of the minor, which observes the child to be a healthy child and which is countersigned by the proposed adopters, is placed on record. So also is placed on record the HIV record of the minor child, certifying the case as negative.

9 All other requisite compliances, such as declaration of willingness by the prospective adoptive parents, foster care affidavit and undertaking to send follow-up reports, etc., are placed on record.

10 The scrutiny report submitted by the ICSW, through Mr.O. Hareendran, Scrutiny Officer, dated 28 October 2017, is taken on record marked "X" for identification.

11 In the premises, the court is satisfied about the merits of the adoption petition. The petition is, accordingly, allowed in terms of prayer clauses (a) and (b). The prospective adoptive parents have agreed to

deposit Rs.2,50,000/- (Rupees Two Lakhs Fifty Thousand only) in the name of minor Aaradhya. A Judge's Order in this behalf is signed to that effect.

(S.C. GUPTE, J.)