

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

**INDIAN ADOPTION PETITION NO. 20 OF 2017
WITH
JUDGE'S ORDER NO. 238 OF 2017**

St.Catherine's Home

...Petitioner

vs

1. Sachin Ramchandra Patekar,

2. Ketaki Sachin Patekar

...Prospective

Adoptive Parents

Mr.Rakesh Kapoor, Advocate for the Petitioner.

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

Mr.Sachin Ramchandra Patekar and Ketaki Sachin Patekar, Proposed
Adopters present.

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

DATED: 8 NOVEMBER, 2017

P.C. :

Though this matter was adjourned to today's date, it is not shown on board today. It is, however, mentioned in the Chambers and taken up for hearing.

2 Heard Mr.Rakesh Kapoor, 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.

3 The petition proposes adoption of a female minor child Zoya alias Sarthakee. The child was born on 31 August 2016 and surrendered by

the biological mother before the Chief Welfare Committee at Mumbai Suburban District on 9 June 2017. Custody of the child was given to the Applicant institution under Section 33(i) of the Juvenile Justice (Care and Protection of Children) Act, 2015.

4 The CWC, after considering the intake case sheet of the biological mother, the document / Deed of Surrender and declaration by the Specialized Adoption Agency, has issued a certificate declaring the child to be legally free for adoption. The certificate is placed on record. The original Deed of Surrender is submitted in a sealed envelope across the bar today.

5 The proposed prospective adopters, who are aged about 39 and 31 years, respectively, are residents of Kiwale, Pune. They have been married for the past 12 years with no biological child for medical reasons. The motivation letter of the parents as also the decision of the Adoption Committee and the affidavit of the Specialized Agency are placed on record. Also placed on record are the health reports of the Adoptive parents, which exhibit sound mental and physical health. The HIV and Hepatitis B tests are negative.

6 The prospective adoptive father is working as a Craft Instructor with Industrial Training Institute, Government of Maharashtra, Aundh, Pune, while the prospective adoptive mother is working as Assistant Teacher at Kiwale Primary School, Primary Chinchwad Municipality. Their salary statements, tax returns as well as identity and residence proofs are placed on record.

7 The home study report, which consists of self-assessment as Part I and assessment report of the social worker of Society of Friends of the Sasoon Hospital, Pune as Part II, is placed on record. The social worker, after making a psycho-social assessment, and considering family background of the adoptive parents and their childhood history as well as marital relationship, their interaction with family members and financial as well as physical and emotional capacity of the prospective adoptive parents, has recommended adoption for the prospective adopters.

8 The child care plan /declaration / undertaking of the prospective parents is placed on record. Also placed on record is a child security undertaking given by near relatives, who are brother and sister-in-law of the prospective adoptive father, residing at Pune, to look after the minor child in case of any mishap.

9 The medical examination report of the minor child exhibits a normal and active child. The HIV report is submitted today. It shows a negative test report. The report is placed on record, marked "X-1" for identification. The proposed adoptive parents have given their consent, after perusal and countersigning of the report. Also placed on record are the pre-adoption foster care undertaking and undertaking to send follow-up reports of the child.

10 Considering the circumstances of the case, some of which are indicated above, and also taking into account of the requisite compliances, the court finds that the adoptive parents are fit for adoption and the adoption petition deserves to be allowed.

11 The scrutiny report submitted by ICSW, through Mr.O. Hareendran, Scrutiny Officer, dated 3 November 2017, is taken on record marked “X” for identification.

12 In the premises, the petition is allowed in terms of prayer clauses (a), (b), (c) and (d). The prospective adoptive parents have agreed to deposit Rs.2,00,000/- (Rupees Two Lakhs only) in the name of minor Zoya. A Judge's Order in this behalf is separately signed.

(S.C. GUPTE, J.)