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

INDIAN ADOPTION PETITION NO. 22 OF 2017
WITH
JUDGE'S ORDER NO. 247 OF 2017

Shree Manav Seva Sangh ...Petitioner
vs
1. Puneet Daultani,
2. Tripti Tejwani ...Prospective Adoptive Parents

Mr. Rakesh Kapoor, Advocate for the Petitioner.
Mr. O. Hareendran, Scrutiny Officer, Indian Council of Social Welfare, present.
Mr. Puneet Daultani and Mrs. Tripti Tejwani, Prospective Adoptive parents are present.

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

DATED: 29 NOVEMBER, 2017

P.C. :

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

2 This petition proposes adoption of a male minor, by the name of Sartak, born on 24 November 2016. The biological mother relinquished the child before the Child Welfare Committee, Mumbai City II on 1 December 2016 and thereafter, the custody of the child was given to the Applicant institution on 1 December 2016 as per the order of Child Welfare

Committee, Mumbai under Section 31 of the Juvenile Justice (Care and Protection of Children) Act, 2015.

3 Thereafter, the Child Welfare Committee, Mumbai City II has issued a Certificate declaring the child legally free for adoption. On the date of surrender of the child, the biological parent executed a deed to surrender the minor child. She was counselled about the effects of such surrender by the Committee and given 60 days time to reconsider her decision. She did not present herself to communicate any reconsideration or reclaim the child within or after 60 days. The Child Welfare Committee, after considering these circumstances along with the declaration of the Adoption Agency, has certified the child to be legally free for adoption. The Free for adoption order dated 5 August 2017 is placed on record.

4 The prospective adoptive parents are residing at Pune. They are both aged about 34 years, and have been married for past five years with no biological child. The decision of the Adoption Committee and the affidavit of the chief functionary of the Specialized Adoption Agency are placed on record. Also placed on record are the health reports of the proposed adoptive parents. The reports show them to be physically and mentally fit. Their HIV I and II and Hepatitis B tests reports are negative.

5 The prospective adoptive father is working as a Manager-Projects with Cognizant Technology Solutions India Private Ltd, Pune whilst the adoptive mother is working as an ERP Functional Analyst II with Arrow Electronics India Pvt. Ltd, Pune. Their residence and identity proofs as well as proofs of income, including bank statements and returns, are placed on record. Also, placed on record is Child Care Plan / declaration /

undertaking furnished by them.

6 The home study report, containing self-assessment in part I and assessment of the social worker of Society of Friends of the Sassoon Hospital (SOFOSH), Pune in Part II, considers various aspects, such as psycho-social assessment, interaction with family members, physical and emotional as well as financial capacity of the adoptive parents. Based on these, the social worker has recommended adoption of the minor child by the prospective adoptive parents.

7 The brother and sister-in-law of the prospective adoptive father, have furnished undertakings to look after the minor child in case of any mishap to the co-petitioners.

8 The medical examination report of the minor child is placed on record. The report states that the child is a normal and active child with HIV report in the negative. The joint consent and willingness of the prospective adoptive parents have been indicated after perusal of the report. The consent and undertaking in this behalf are placed on record. So also, the pre-adoption foster care undertaking of the adoptive parents and the undertaking to send follow-up reports to the Petitioner institution are placed on record.

9 Considering the material placed before the court, some of which has been referred to above, and the compliances noted as above, this court is of the view that the adoption petition deserves to be allowed.

10 The report of the Scrutiny Officer dated 11 November 2017 is

taken on record, marked “X” for identification.

11 The petition is, accordingly, allowed in terms of prayer clauses (a), (b) and (c). The prospective adoptive parents are allowed to change the name of the minor as indicated in prayer clause (d).

12 In accordance with the practice adopted by this court in the case of Indian adoptions, the adoptive parents have offered to make an investment in the name of the minor child a sum of Rupees Two Lakhs and submit a proof of such investment.

13 A separate Judge's Order allowing the petition is signed by this court today.

(S.C. GUPTE, J.)