

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

IN ITS GENERAL & INHERENT JURISDICTION

INDIAN ADOPTION PETITION NO.96 OF 2018

In the matter of the adoption of male
minor Dhruv @ Shriyan Manwantar
Pathak aged about 4 months under
Section 56 and 58 of the Juvenile
Justice (Care and Protection of
Children) Act, 2015.

SWTI Bal Vikas
V/s.

)....Petitioner

Manwantar Prakash Pathak &)
Sayali Manwantar Pathak

)....Proposed Adopters

Smt.Llalita Jaya Raj for petitioner.

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

[Mr.Manwantar Prakash Pathak & Sayali Manwantar Pathak-proposed
adopters present].

CORAM : K.R.SHRIRAM,J

DATE : 5.12.2018

P.C.:-

1. This is a petition for adoption of a male child Dhruv born on 5.7.2018 by Indian Nationals. The minor was admitted to petitioners' institution on 10.7.2018 by the biological parents and thereafter the biological parents surrendered the child before the Child Welfare Committee, Mumbai Suburban District, Mumbai on 16.7.2018. The safe custody was given to petitioner institution Bal

Vikas, Mumbai as per the Safe Custody Order of Child Welfare Committee, Mumbai Suburban District dated 16.7.2018 under Section 36(i) of the Juvenile Justice (Care and Protection of Children) Act 2015 (the said Act) and Rule 18(4) of the Model Juvenile Justice Rules, 2016. After making inquiry under Section 38 of the said Act the Child Welfare Committee has declared Dhruv legally free for adoption as on 28.9.2018. The proposed adopters are Indian Nationals residing in Latur, aged 35 (father), 31 (mother) years, respectively. They have been married for the last 7 years with no biological or adopted children.

2. I have considered the petition, annexures thereto and the report dated 26.11.2018 of the Scrutiny officer of Indian Council of Social Welfare (ICSW) which is taken on record and marked 'X' for identification. In the representation it is noted that the prospective adoptive father is a practicing Lawyer at Latur District Court and his income for the Assessment Year 2018-2019 is Rs.5,46,020/-. Prospective adoptive mother is a homemaker. The prospective adoptive parents are emotionally mature and financially stable. The couple has stable family structure and there is openness towards adoption from close family members and neighbors.

3. The medical report of the prospective adoptive parents is on record and it states “They are not suffering from any health problem currently”. Their HIV I & II and HBsAg test reports certifies the case as negative.

4. There is also an undertaking by the brother and sister-in-law of the proposed 1st adopter residing at Latur to look after Dhruv in case of any mishap to the proposed adopters. The medical examination dated 29.9.2018 of the proposed minor is on record and it is stated “overall observation of the child : Healthy Infant”. This report has been counter signed by the adoptive parents. HIV report of the minor dated 26.9.2018 certifies the case as negative.. The declaration of willingness of the prospective adopters is on record. Proposed adopters desire to rename ‘Dhruv’ as ‘Shriyan Manwantar Pathak’. The other required documents are also on record. Therefore, I find no impediment in granting the reliefs sought in the petition.

5. Petition allowed. Judges' order is signed separately.

(K.R.SHRIRAM,J)