

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

IN ITS GENERAL & INHERENT JURISDICTION

INDIAN ADOPTION PETITION NO.94 OF 2018

In the matter of S.56 and S.58 of the
Juvenile Justice Act, 2015

And

In the matter of Clause 17 of the
Letters Patent ;

And

In the matter of the adoption of a
male minor Yash @ Divam Mayur
Patel, a resident of Bal Vikas, Shishu
Bhavan, Valentine Complex,
Off.Gen.Arun Kumar Vaidya Marg,
Malad (East), Mumbai-400 097.

SWTI Bal Vikas, Shishu Bhavan
V/s.

)....Petitioners

Mayur Pravin Patel & Anr.

)....Proposed Adopters

Smt.Lalita Jaya Raj for petitioners.

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

[Mr.Mayur Pravin Patel & Mrs.Dhuri Mayur Patel-proposed adopters
are present].

CORAM : K.R.SHRIRAM,J

DATE : 5.12.2018

P.C.:-

1. This is a petition for adoption of male child Yash born on
6.7.2018 by Indian Nationals. The biological mother admitted Yash
to petitioners' institution on 14.7.2018 and subsequently surrendered
the child before the Child Welfare Committee, Mumbai Suburban

District on 17.7.2018. Pursuant to the order dated 17.7.2018 passed under Section 36(1) of the Juvenile Justice (Care & Protection of Children) Act, 2015 (the said Act) by the Child Welfare Committee, the custody of Yash was given to petitioner. After making inquiry under Section 38 of the said Act the Child Welfare Committee has declared Yash legally free for adoption as on 28.9.2018. The proposed adopters are Indian Nationals residing in Dahisar, aged 36 (father) and 33 (mother) years, respectively. They have been married for the last 10 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 proposed adopters are of middle class having their own family business. They are very comfortable with each other, which were visible during the home study process and are very keen to bring a child at home as early as possible.

3. The proposed adopters are stated to be in good health, motivation letter from proposed adopter is on record, health report is also on record and it is stated that they are not suffering from any

ailments. Report however, indicated that proposed mother is a diabetic. They are however, stated to be fit for adoption and HIV 1 & II and HbsAg test reports are also stated to be Non-reactive.

4. The 1st proposed adopter is self employed businessman manufacturing Agarbatti and his income for the Financial Year 2017-18 is Rs.6,58,373/-. The adoptive mother is homemaker. The home study report also indicates that the adoptive parents are fit to adopt the child and take care of the child. There is also an undertaking by the brother and sister-in-law of the proposed 1st adopter to look after Yash in case of any mishap to the proposed adopters. The medical examination of Yash is on record and it is stated "overall observation- healthy infant. This report has been counter signed by the adoptive parents. HIV report of the minor is negative. The declaration of willingness of the prospective adopters is on record. Proposed adopters desire to rename 'Yash' as 'Divam Mayur Patel' . 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)