

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

INDIAN ADOPTION PETITION NO.95 OF 2018

In the matter of the Juvenile Justice
(Care and Protection of children) Act
2015 under Section 58(3) and 12(2)
of Adoption Regulations 2017.

And

In the matter of the adoption of
female minor Aaradhya Prashant
Kolhe.

Bal Vikas, Shishu Bhavan
V/s.

)....Petitioner

Prashant Rambhau Kolhe &
Dipali Prashant Kolhe

)
)....Proposed Adopters

Mr.Rakesh Kapoor for petitioner.

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

CORAM : K.R.SHRIRAM,J

DATE : 5.12.2018

P.C.:-

1. This is a petition for adoption by Indian Nationals of a female child Titali born on 8.4.2018. As per the order of Child Welfare Committee, Mumbai City II dated 11.4.2018 the biological mother who was a minor admitted Titali to petitioners' institution on 11.4.2018 and subsequently the maternal grandfather of the proposed minor executed a Deed of Surrender on behalf of birth minor mother (with her consent) before the Child Welfare Committee, Mumbai City II on 12.4.2018. Pursuant to the order dated 27.7.2018 passed under

Section 38(2) of the Juvenile Justice (Care & Protection of Children) Act, 2015 (the said Act) by the Child Welfare Committee, the custody of Titali was given to petitioner. After making inquiry under Section 38 of the said Act the Child Welfare Committee has declared Titali legally free for adoption as on 16.7.2018. The proposed adopters are Indian Nationals residing in Nagpur, aged 43 (father), 39 (mother) years, respectively. They have been married for the last 8 years with no biological or adopted children.

2. I have considered the petition, annexures thereto and the report dated 16.11.2018 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 self employed (business of commission agent, both in Tours & Travels and LIC of India and runs a Xerox Centre at Nagpur). His income for the A.Y.2018-2019 is Rs.3,60,999/-. Prospective adoptive mother is a practicing Advocate since 2006 and her income for the A.Y. 2018-19 is Rs.4,19,870/-. The prospective adoptive parents are socially, financially, physically and mentally capable to take care of a child. They are living in rented house. After all assessment, the Social Worker is of the view that both the husband and wife are capable to bring up a child and will give proper education and discipline to the child.

3. The medical report of the prospective adoptive parents dated 24.8.2018 is on record and it states “The health of the parents does not disqualify the parents in parenting a child in anyway”. Their HIV I & II and Hepatitis B test report certificates shows the case as negative.

4. There is also an undertaking by the brother and sister-in-law of the proposed 1st adopter, residing at London, U.K., to look after Titali in case of any mishap to the proposed adopters. The medical examination dated 19.7.2018 of Titali is on record and it is stated “overall observation of the child Titali is developmentally normal. She was admitted to the institution weighing 2.1 kg on day 3 but has grown well in the institution since then. Her present weight is 4 Kg”. This report has been counter signed by the adoptive parents. HIV report of the minor is non-reactive. The declaration of willingness of the prospective adopters is on record. Proposed adopters desire to rename ‘Titali’ as ‘Aaradhya Prashant Kolhe’. 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)