

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY AND ORIGINAL CIVIL JURISDICTION
IN ITS GENERAL AND INHERENT JURISDICTION
INDIAN ADOPTION PETITION NO.4 OF 2019
WITH
JUDGE'S ORDER NO.4 OF 2019**

In the matter of the Juvenile Justice (Care and Protection of Children) Act, 2015 (as Amended) and the Juvenile Justice (Care and Protection of Children) Rules 2017 and in the matter of Section 58(3) of the said Act,

AND

In the matter of adoption of female minor **Sachi @ DIMPANA PRAKASH** – aged about 6 months under Section 58 (3) of J.J. Act, 2015.

St. Catherine's Home
AND

...Petitioner/Applicant

Prakash B.R. and
Roopa B.C.

...Prospective Adoptive Parents.

Mr. Rakesh Kapoor for petitioner.
Mr. O. Hareendran, Scrutiny Officer of ICSW present.

CORAM : K.R.SHRIRAM, J.
DATE : 6th FEBRUARY, 2019

P.C.:

1 This is a petition for adoption of female minor Sachi born on 15th July 2018. The biological mother surrendered her child before Child Welfare Committee, Mumbai Suburban District (CWC) on 27th July 2018 and the custody was given to applicant institution St. Catherine's Home, Mumbai on the same day as per the safe custody order dated 27th July,

2018 passed by CWC. Under section 36 (1) of Juvenile Justice (Care and Protection of Children) Act, 2015 and Rule 18 (4) of the Model J.J. Rules 2016. After making due inquiry under section 38 of Juvenile Justice (Care and Protection of Children) Act, 2015 (2 of 2016) the CWC declared the minor SACHI “Legally Free for Adoption” as on 5th October 2018. The Free for adoption order is on record.

2 I have considered the petition, annexures thereto and the report dated 31st December 2018 of the Scrutiny Officer of Indian Council of Social Welfare (ICSW) which is taken on record and marked “X” for identification.

3 In the representation it is noted that the proposed adopters are residing at Bengaluru aged about 37 and 31 years, respectively. They have been married for the past 12 years (19th May 2006) with no biological children. Motivation letter from the prospective adoptive parents is on record. The Decision of Adoption Committee dated 14th November 2018 is on record. Affidavit by the Chief Functionary of the Specialized Adoption Agency (Applicant) is on record. The medical reports of the prospective adoptive parents dated 24th November 2018 are on record and it states “Nothing significant past history. Currently they are healthy”. Their HIV I & II and HbsAg test reports certifies the case as Negative.

4 The prospective adoptive father is working as a Manager with Ananya Enterprises, Bangalore since 1st April 2016 and his monthly gross salary is Rs.28,000/-. His pay slips for the months of October, September and August are on record. His wife is a homemaker. The copy of PAN and Aadhar Cards, proof of residence/property and LIC certificate are on record.

5 The home study report Part I : Self Assessment by the Prospective Adoptive Parents is on record. The Part II : Assessment report of the Social Worker of Spoorthi Adoption Centre, Udupi District, Karnataka (Home visit done on 29th November 2016 and 8th December 2018) is on record and it states, “The prospective adoptive parents have very stable financial situation and are well prepared for adoption. They have all the arrangements and plans done for the child expected to come in adoption. Mentally and emotionally they have prepared themselves and are eager to adopt a girl child. After all assessment the Social Worker recommends confidently that the couple may be placed a child they deserve into adoption”. The Guardianship undertaking dated 14th December 2018 by the sister and brother-in-law of the prospective adoptive mother residing at Mysore, Karnataka to look after the proposed minor in case of any mishap to the prospective adoptive parents is on record.

6 Medical examination report dated 29th October 2018 of the minor Sachi is on record and it states “No abnormalities. She is an active

child”. The proposed adopters have countersigned the said report. As regards the change of name, the prospective adoptive parents desire that the minor ‘Sachi’ be renamed as “DIMPANA PRAKASH”. The HIV report of the proposed minor dated 19th August 2018 certifies the case as Negative. Post Card Size Photograph of the minor is on record. Joint consent, willingness and undertaking by the prospective adoptive parents are on record. The Pre-adoption foster care undertaking dated 11th December 2018 is on record. The undertaking to send follow up report by the authorities of Spoorthi Adoption Centre, Udupi is on record.

7 The other required documents are also on record. Therefore, I find no impediment in granting the reliefs sought for in the petition.

8 Petition allowed. Judge's order is signed separately.

(K.R. SHRIRAM, J.)