

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY AND ORIGINAL CIVIL JURISDICTION
IN ITS GENERAL AND INHERENT JURISDICTION
FOREIGN ADOPTION PETITION NO.4 OF 2019
WITH
JUDGE'S ORDER NO.14 OF 2019**

In the matter of the Juvenile Justice
(Care and Protection of Children) Act,
2015 (No.2 of 2016)

AND

In the matter of Clause 17 of the
Letters Patent;

AND

In the matter of Adoption of female minor
**Madhubala @ Sara Madhubala
Suursalmi** – aged about 1 year 3 months
under Section 59 (7) of Juvenile Justice
(Care and Protection of Children) Act,
2015.

1 Children of the World India Trust ...Petitioner

AND

1. Teemu Mikael Suursalmi and

2. Piia Helena Suursalmi ...Proposed Adopters

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 Madhubala born on 26th October 2017 and admitted to petitioner institution Children of the World India Trust, Nerul, Navi Mumbai on 1st November 2017 for a period of 3 months as per the order of Child Welfare Committee, Thane (CWC)

dated 2nd November 2017 under the provisions of of the Juvenile Justice (Care and Protection of Children) Act, 2015. Subsequently on 27th day of April, 2018 the child's biological mother and her parents executed a Deed of surrender before the CWC for the child's permanent rehabilitation. The Admission order is on record. 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 Madhubala "Legally Free for Adoption" as on 13th July 2018. The Free for Adoption Order is on record. The undertaking/affidavit by petitioner is on record. The Central Adoption Resource Authority (CARA), New Delhi has issued No Objection Certificate dated 20th November 2018 as per Adoption Regulations, 2017 and Article 17(c) of the Hague Convention on the Protection of Children and Co-operation in respect of Inter-Country Adoption 1993.

2 I have considered the petition, annexures thereto and the report dated 19th January 2019 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 Finland Nationals residing at Hameenlinna, Finland, aged about 39 and 38 years, respectively. They have been married for the past 11 years

(25th August 2007) with no biological children. Family Photograph and Passport copies of the Proposed Adopters are on record. The health reports dated 26th March 2018 of the proposed adopters are on record and it states, “Not carrier of any contagious disease. They are fit to adopt. Their HIV and HbsAg test reports are Negative.

4 The prospective adoptive father is working as a Maintenance Services Manager with Finland’s Slot Machine Association (as per Home study Report) and his gross earned income for the tax year 2016 was € 58,657.13. His latest income is certified to be € 62,525.26 per annum for 2018. The prospective adoptive mother is working as a Pediatrician with Tampere University (as per Home study report) and her gross earned income for the tax year 2016 was € 97,665.90. Her present monthly remuneration is € 4986 plus on call duty salary and her yearly remuneration for 2017 was € 102000.

5. Mr.Kapoor tenders a compilation of 22 pages containing the bank statements, employment certificates of proposed adopters and child care plan which are taken on record and marked “X-1 colly”.

6 The home study reports dated 27th September 2017 and 2nd February 2018 by the authorities “Interpedia” Helsinki, Finland is on

record and it states “The prospective Adoptive Parents financial status is very good and stable, it allows one of the spouses to stay at home for a long time, if the child needs. Their home and environment are well suited as a child’s environment of growth. The couple have good and close network of friends and relatives who provide support in child care, if necessary. After all assessment, the agency worker recommends the couple for adoption of a child of 0 to 5 years”. The psychologist’s statement dated 9th April 2018 of the proposed adopters is on record and it states “The assessment gave the impression that the adoptive couple have good and sufficient mental functional ability in terms of adoptive parenthood. They expressed sufficient ability to reflect and to process matters. On the basis of this examination, the married couple seems to meet the requirements of adaptation related to adoption and they are suited as adoptive parents of a child of 0 to 4 years”. The permission from the Finnish Adoption Board and Statement that the Adoption may proceed from Interpedia, Finland is on record.

7 The H.I.V report of the proposed minor Madhubala dated 24th July 2018 certifies the case as Non-Reactive. The Post Card size photograph of the minor is on record. The Medical Examination Report (MER) of the minor Madhubala dated 11th September 2018 is on record and states “weight at birth: 1,785 Kgs. BERA, bilateral mild conductive loss. Normal mental development for age”. The proposed adopters have

countersigned this report. Joint Declaration of willingness and undertakings by the proposed adopters is on record. The undertaking dated 26th October 2018 by the Authorized Foreign Adoption Agency “Interpedia”, Helsinki, Finland is on record. The General Power of Attorney dated 25th October 2018 in favour of petitioner institution is on record. The Indian Placement Agency (Children of the World India Trust, Navi Mumbai) recognition from the Women & Child Development, Maharashtra State to place children in adoption is valid for a period up to 31.7.2019.

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

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

(K.R. SHRIRAM, J.)