

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY AND ORIGINAL CIVIL JURISDICTION
IN ITS GENERAL AND INHERENT JURISDICTION
INDIAN ADOPTION PETITION NO.9 OF 2019
WITH
JUDGE'S ORDER NO.19 OF 2019**

In the matter of S.61(i), 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 Adoption of female
minor Stuti @ Gauri Shailesh Pandit -
aged about 4 months under Section 56
and 58 of the Juvenile Justice (Care
and Protection of Children) Act, 2015.

SWTI, Bal Vikas

...Petitioner

And

Shailesh Kamalakant Pandit &
Rashi Shailesh Pandit

...Proposed Adopters

Smt. Lalita Jaya Raj for petitioner.

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

Prospective adoptive parents present.

CORAM : K.R.SHRIRAM, J.

DATE : 13th FEBRUARY 2019

P.C.:

1 This is a petition for adoption of female minor Stuti, born on
22/09/2018 and the biological mother surrendered her child before the
Child Welfare Committee, Mumbai Suburban District, Mumbai on
28/09/2018 and the safe custody was given to the Petitioner institution Bal
Vikas, Mumbai as per the Safe Custody Order of Child Welfare Committee,

Mumbai Suburban District dated 28/09/2018 under section 36 (i) of the 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 Child Welfare Committee, Mumbai Suburban District declared the proposed minor Stuti “Legally Free for Adoption” as on 30/11/2018. The Free for adoption Certificate is on record.

2 I have considered the petition, annexures thereto and the report dated 31st 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 Indian Nationals residing at Borivali, Mumbai aged about 43 and 38 years, respectively. They have been married for the past 8 years (28/11/2010) with no biological children. Motivation Letter is on record. Affidavit by the Specialized Adoption Agency (Petitioner) in support of adoption of the proposed minor is on record. Adoption Committee Minutes dated 16/01/2019 is on record. The Medical Reports of the proposed adopters dated 11/10/2018 is on record on and it states” Physically and mentally fit”. Their HIV 1 & II and HBsAg test reports certifies the case as Non-Reactive.

4 The First Proposed Adopter is working as a Delivery Module Lead with Mphasis Software & Services (India) Pvt. Ltd., Andheri, Mumbai since February 6, 2006 and his gross monthly (December-2018) salary is Rs.85,008/-. His Appointment Order, Salary Certificate and Pay slips are on record. The Second Proposed Adopter is working as a Higher Grade Stenographer with Mumbai Metropolitan Region Development Authority, Bandra, Mumbai since February 18, 2008 and her gross monthly (December-2018) salary is Rs.48,919/-. Her Appointment Order, Salary Certificate and Pay slips are on record. The Tax Returns, Copy of PAN Cards, Property Statement, Bank References, copy of Aadhar cards are on record. Childcare Plan declaration by the prospective adoptive mother is on record.

5 The Home study report Part 1: Self-assessment by the proposed adopters is on record. Home Study Report Part II: Assessment Report by the Social Worker of Bal Vikas, Shishu Welfare Trust of India, Malad, Mumbai (Home visit done on 12/07/2017) is on record and it states” The proposed Adopters are physically and emotionally ready to take care of the child. They are financially sound too. Their extended family was aware of their adoption plans and are positive about the adoption. After all assessment, the Assessor recommended the prospective adoptive parents for adoption of a child”. Child Security undertaking dated 21/01/2019 by the brother and sister-in-law of the Second Proposed Adopter residing at Kandivali, Mumbai to look after the proposed minor in case of any mishap to the Proposed

Adopters is on record. Photograph of the proposed minor and adoptive family is on record.

6 Medical Examination report of the proposed minor dated 13/12/2018 is on record and it states “Overall observations about the child: Healthy Infant”. The proposed adopters have countersigned the said report. The HIV report of the minor dated 03/12/2018 certifies the case as Negative. The Declaration of Willingness by the Prospective Adoptive Parents is on record. As regards the change of name, the prospective adoptive parents desire that the minor ‘Stuti’ be renamed as “Gauri Shailesh Pandit”. The Foster Care Affidavit dated 21/01/2019 by the Prospective Adoptive Parents is on record. The undertaking to send follow-up report by the authorities of Bal Vikas, Mumbai is on record. The Indian Specialized Adoption Agency (Bal Vikas, Mumbai) recognition from the Women & Child Development, Government of Maharashtra to place children in adoption is valid for a period up to 31.3.2020.

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.)