

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

**JUDGE'S ORDER NO.27 OF 2019
IN
INDIAN ADOPTION PETITION NO.12 OF 2019**

In the matter of Section 56 and
Section 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 male
minor RITVIK @ ROHAN BHAGAT,
an inmate of Family Service Centre,
Eucharistic Congress Bldg. No.3,5
Convent Street, Colaba, Mumbai-400
001.

Family Service Centre)....Petitioner/Applicant

V/s.

Shravan Bhagat & Suniti Bhagat)....Respective Adoptive parents

Mr.Rakesh Kapoor for petitioner.

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

CORAM : K.R.SHRIRAM,J

DATE : 20.2.2019

P.C.:-

1. This is a petition for adoption of male minor Ritvik born on 24/07/2018. The biological mother surrendered her child before the Child Welfare Committee, Mumbai City on 25/07/2018 and the

custody was given to the Petitioner institution Family Service Centre, Colaba, Mumbai on the same day as per the Safe Custody Memo of Child Welfare Committee, Mumbai City II dated 25/07/2018 under section 36 (1) of the Juvenile Justice (Care and Protection of Children) Act, 2015 and Rule 18 (4) of the Model J. J. Rules, 2016. The Custody Memo is on record.

2. I have considered the petition, annexures thereto and the report dated 14.2.2019 of the Scrutiny Officer of Indian Council of Social Welfare (ICSW) which is taken on record and marked "X" for identification.

3. 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 City II declared the proposed minor RITVIK "Legally Free for Adoption" as on 17/10/2018. The Free for adoption Certificate is on record.

4. The Prospective Adoptive Parents are residing at Patna, Bihar aged about 43 and 42 years respectively. They have been married for the past 18 years (13/03/2001) with no biological

children. However, they have one adopted daughter “Shivangi Bhagat” aged about 10 years from Patna. Her Birth Certificate, Health Certificate, Adoption Deed dated 07/01/2011, Family photograph and Health Report are on record

5. Motivation Letter by the Prospective Adoptive Parents, the Decision of Adoption Committee dated 29/11/2018, Affidavit by the Chief Functionary of the Specialized Adoption Agency (Applicant) are on record.

6. The Health report of the prospective adoptive Parents dated 23/11/2018 is on record and it states, “found them physically and mentally fit and not suffering from any disease. They are fully capable of bringing up a child”. Their HIV I & II and Hepatitis B test reports certifies the case as Negative.

7. The Prospective Adoptive father is self-employed (proprietor of Scientific Book Company, Patna) and his income for the Assessment Year 2018-19 is Rs. 9,94,825/-. Chartered Accountants Income Certificate, Income Tax Return for the Assessment Year 2018-

19, 2017-18 and 2016-17 are on record.

The Prospective Adoptive Mother is self-employed (Teaching) and her income for the Assessment Year 2018-19 is Rs. 14,73,797/-. Chartered Accountants Income Certificate, Income Tax Return for the Assessment Year 2018-19, 2017-18 and 2016-17 are on record.

8. Copy of PAN Card, Aadhar Card/Proof of residence, Bank statements and other supportive financial documents, the childcare arrangement declaration/undertaking from the prospective adoptive mother and her mother-in-law and the home study report Part I: Self Assessment by the Prospective Adoptive Parents are on record.

9. The part II: Assessment report of the Social Worker of Prayas Bharti Trust, Patna (Home visit done on 17/12/2016) states, "Prospective Adoptive Parents are emotionally equipped enough to take care of another child. They are matured and responsible couple and are positive about adoption. After all the assessment the Social Worker recommends the family for adoption of a child".

10. The child security undertaking dated 03/12/2018 given by the Brother and sister-in law of the Prospective Adoptive mother residing at Pune to look after the proposed minor in case of any mishap to the Prospective Adoptive Parents is on record.

11. Medical Examination of the proposed minor dated 11/09/2018 states, "No abnormality detected. Overall Observation of the child: Normal". The Prospective Adoptive Parents have countersigned the said report.

12. The HIV report of the proposed minor dated 22/10/2018 certifies the case as Negative. Post Card Size Photograph of the minor and Joint consent and undertaking by the prospective adoptive parents are on record.

13. As regards the change of name, the Prospective Adoptive Parents desire that the minor 'Ritvik' be renamed as "ROHAN BHAGAT". The same is allowed.

14. The Pre-adoption foster care undertaking dated 05/12/2018 and the undertaking to send follow up report by the authorities of Ashram Foundation, Patna are on record.

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

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

(K.R.SHRIRAM,J)