

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

INDIAN ADOPTION PETITION NO. 16 OF 2019
WITH
JUDGE'S ORDER NO. 39 OF 2019
IN
INDIAN ADOPTION PETITION NO. 16 OF 2019

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

AND

In the matter of adoption of a Female minor, **Shoumika @ Ruhi Deepak Patil**, a resident of M.S.W.C Asha Sadan Balgruh, Asha Sadan Marg, Umerkhadi, Mumbai – 400009.

MSWC, Asha Sadan Balgruh	)	Petitioner/Applicant
AND		
1. Mr. Deepak Chandrakant Patil	)	Proposed Adopters/
2. Mrs. Jayshree Deepak Patil	)	Co-Petitioners.

Mrs. Varsha Bhogle Deshmukh for
Mr. O.Hareendran, Scrutiny officer of ICSW present.
Ms. Jayalakshmy K., Superintendent of M.S.C.W., present.

CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATE : 14/03/2019.

P.C.:-

1. This is a petition for adoption of a minor girl child **Shoumika**.
The proposed minor girl child **Shoumika @ Ruhi Deepak Patil** was born on

29/04/2018. She was an abandoned child and was found by M.R.A. Marg Police Station, Mumbai on 06/06/2018 and admitted to the Petitioner institution Asha Sadan on the same day for care and protection. The said minor child was then produced before Child Welfare Committee, Mumbai City II on 07/06/2018 under section 36 (1) of Juvenile Justice (Care and Protection of Children) Act, 2015 and Rule 18 (4) of the Model J. J. Rule, 2016 and the safe custody of the child was continued with Asha Sadan vide safe custody order dated 07/06/2018.

2. 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 I declared the proposed minor **Shoumika “Legally Free for Adoption”** as on **25/10/2018**. The Free for Adoption order is on record.

3. The Proposed Adopters are residing at New Panvel. The proposed parents are of 43 and 33 years of age respectively and have been married for the past 12 years (14/06/2006) with no biological children. The Family photograph is on record. The Motivation Letter from the Proposed Adopters and the Decision dated 25/1/2019 of Adoption Committee as well as the affidavit of the Chief Functionary of the Specialized Adoption Agency (Petitioner) are on record.

4. The Health report of the prospective adoptive parents dated 31/01/2019 is on record and it states that, "the health of the prospective adoptive parents do not disqualify them in parenting a child in anyway". Their HIV I & II and Hepatitis B test reports certifies the case as Negative.

5. The Prospective Adoptive father is working as a Junior Associate-Operations with Edelweiss finance & Investment Ltd., Mumbai since 01/06/2007 and his monthly (December-2018) gross salary is Rs.43,708/-. His Appointment Order, salary slips and form 16 are on record. The Prospective Adoptive Mother is a Homemaker.

6. The Proof of residence (Leave and License Agreement), PAN Card, Bank statements and other supportive financial documents are on record. Similarly the childcare arrangement undertaking and the home study report Part I: Self Assessment by the Prospective Adoptive Parents are on record.

7. The part II: Assessment report of the Social Worker of Vatsalya Trust, Alibag (Home visit done 11/02/2017), which is on record states that "the prospective adoptive parents are caring and responsible and share a strong and a stable marital relationship. After all the assessment the social worker recommends them for the adoption of a female child 0-2 years old".

8. The Sister and brother-in-law of the Prospective Adoptive father residing at Uran, Dist. Raigad, have given the child security undertaking dated 11/01/2019 and have undertaken to look after the child in case of any mishap to the Prospective Adoptive Parents. Post Card Size Photograph of the minor is on record. The prospective adoptive parents have given a Joint Declaration of consent & willingness and the same is on record.

9. Medical Examination of the proposed minor Shoumika dated 27/12/2018 states that the minor is “A normal, healthy child”. The proposed adopters have countersigned the said report. The HIV report of the proposed minor dated 25/12/2018 certifies the case as Not Detected. The Pre-adoption foster care undertaking dated 01/02/2019 is on record.

10. As regards the change of name, the proposed Adopters desire that the minor ‘Shoumika’ be renamed as **“Ruhi Deepak Patil”**. The same is allowed.

11. The undertaking dated 19/12/2018 to send follow up report by the authorities of Vatsalya Trust, Alibag is on Pg. 31.

12. The Specialized Adoption Agency’s (M.S.W.C. Asha Sadan, Mumbai) recognition from the Women & Child Development, Government of

Maharashtra to place children in adoption is valid for a period up to **31.12.2018.**

13. I have considered the petition, annexures thereto and the report dated 27/02/2019 of the Scrutiny Officer of the Indian Council of Social Welfare (ICSW) which is taken on record and marked 'X' for identification.

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

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

16. The Registry will get the Petition with all the annexures and all orders, including the signed Judge's Order, scanned. These digital copies are to be preserved. A soft copy may be given to the Advocate for the petitioner free of cost on a pen drive provided by the Advocate for the petitioner for the same. The Registry will ensure that the scan of the Judge's Order is a properly calibrated colour scan.

17. Once minor Shoumika is 18 years old, she may apply independently for authenticated or certified copies of this order and the contents of the court records, and these will be provided to her without her having to file any additional supporting documents.

18. All undertakings accepted.

(SMT. ANUJA PRABHUDESSAI, J.)