

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

IN ITS GENERAL & INHERENT JURISDICTION

INDIAN ADOPTION PETITION NO.99 OF 2018

In the matter of the adoption of a
male minor Stephen Mathew aged
about 3 years

Mathew Varghese T.V. & Anitha Mathew)....Petitioners/Applicants

Mr.Rakesh Kapoor for petitioners.

Ms.Vandana Jog- Scrutiny Officer of ICSW present.

CORAM : K.R.SHRIRAM,J

DATE : 9.1.2019

P.C.:-

1. This is a petition for adoption of male minor Stephen Mathew born on 2.11.2015. The birthmother gave custody of Stephen to petitioners Mr. & Mrs.Mathew Varghese on 4.1.2016. The petitioners then filed Guardianship Petition on 24.7.2018 (Indian Guardianship Petition No.21 of 2018). The petition was allowed by this Court by Judge's order dated 1.8.2018.

2. This Adoption Petition is filed by petitioners as per the the Judgment dated 27.10.1999 of this Court (F.I.Rebello,J) and the Judgment dated 22.4.2018 (Indian Adoption Petition No.32 of 2018- Coram : G.S.Patel,J).

3. The petitioners are Indian nationals presently residing at New Panvel, Navi Mumbai and permanent resident of Kerala, aged about 49 and 46 years, respectively. They have been married for the past 23 years (9.2.1995) with no biological children. However, they had one biological son, who expired at the age of 12 years on 14.6.2008 due to blood cancer.

4. I have considered the petition, annexures thereto and the report dated 8.12.2018 of the Scrutiny officer of Indian Council of Social Welfare (ICSW) which is taken on record and marked 'X' for identification.

5. The health report dated 10.11.2018 of the petitioners States : "Investigations and physical examinations have not revealed any major medical abnormality or disease. They are physically and mentally fit for adoption of child and daily routine activities.." Their HIV and HbsAg test reports certify the case as 'Non-Reactive'.

6. The health report of the proposed minor dated 10.11.2018 states "he is physically and mentally fit to undergo his daily activities". His HIV and HBS Ag reports certify the case as Non-reactive.

7. The 1st petitioner is working as a Revenue Officer with Kerala Water Authority, Kottayam, Kerala and his monthly gross salary is Rs.84,090/-. His salary certificate and Tax Returns for the years 2016, 2017 & 2018 are on record. His wife is homemaker. The

petitioners have filed their Bank Statements, LIC certificates and Proof of residence/proof of property. As per the directions of this Court dated 1.8.2018, the adoptive parents have invested sum of Rs.1,00,010/- in the name of the said child in LIC's Single Premium Endowment Plan with profits.

8. The Adoption home study report dated 2.11.2018 of petitioners by the Social worker Ms.Clipsy Banji, BA, MSW, PGPDm states "The couple shares a close and loving relationship with one another and with the family members. Stephen is well known in the family and has been already accepted by all. The arrival of Stephan has brought immense joy in the family and healed them all. They have their own house and a plot in Kerala and have no known liabilities. After all assessment, the Social Worker recommends them as suitable adoptive parents."

9. The follow up report of the proposed minor Stephen dated 2.11.2018 states "Stephen is an active child. He has adjusted to his new state of affairs of staying with his paternal grandmother in Panvel. He seems to have adjusted to his overall environment. Everyone in the family is happy with the development of Stephen. He is enrolled in a play school in Kerala and attends school from 10.00 A.M. to 12.00 noon. During the next academic year, he will be enrolled in a regular school in Kerala."

10. Based on the Guardianship Petition No.21 of 2018 granted on 1.8.2018 by this Court in favour of petitioners and the home visit report/progress report of the professionals Social Worker, it is observed that the male child Stephen is well integrated into the adoptive family.

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

12. Petition allowed. Judges' order is signed separately.

(K.R.SHRIRAM,J)