

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

INDIAN ADOPTION PETITION NO. 10 OF 2020
with
JUDGE'S order no.19 of 2020

SWTI, Bal Vikas.	...Petitioner
And	
1. Vipul Gopaldas Bhattad	
2. Priya Vipul Bhattad wife of Vipul	
Gopaldas Bhattad.	...Proposed Adopters

Smt.Lalita Jaya Raj, Advocate for the Petitioner.

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

CORAM : G.S. KULKARNI, J.

DATE : 21 February 2020

P. C.

1. This is an Indian Adoption Petition wherein the petitioner-SWTI, Bal Vikas, Mumbai, a recognized specialised adoption agency as described in paragraph one of the petition alongwith Shri.Vipul Gopaldas Bhattad and his wife Mrs.Priya Vipul Bhattad, (for short 'Adoptive Parents') both aged 37 and 35 years respectively, residents of 28, Kolhlatkar Colony, Shilangan Road, Amravati, are before the Court praying that female minor child **Vedika** born on 1 September 2019 be given in adoption to the adoptive parents.

2. The case of the petitioner is that the minor Vedika born on 1 September 2019 was surrendered by her biological mother before the Child Welfare Committee, II, Mumbai Suburban District, Mumbai on 26 September 2019 and the safe custody of the minor Vedika was given to the petitioner institution by an order dated 26 September 2019. Thereafter an order dated 28 November 2019 the Child Welfare Committee declared minor Vedika legally free for adoption as on 28 November 2019. A certificate to that effect is placed on record.

3. There is a motivation letter dated 18 December 2019 which records in detail the desire of the adoptive parents to have child in adoption and that they would confer love and affection to the child to be taken in adoption.

4. There are medical reports of the adoptive parents dated 18 December 2019 recording that there are no major illness in past of both the adoptive parents. They are currently not under any medication. They are stated to be of good health and physically fit to adopt the child. The HIV I and HIV 2 test reports as also HbsAG test reports certified them to be non-reactive.

5. The adoptive father is medical practitioner being a Homeopathic Consultant (B.H.M.S.). He has his clinics titled as "Giriraj Clinic" at

Rathi Nagar and Yashoda Nagar since 2007. His income for the year 2019-20 is Rs.4,15,732/- His Income affidavit and Income Tax Returns for the Assessment Years 2017-18, 2018-19 and 2019-20 are placed on record. The adoptive mother is also medical practitioner (B.A.M.S) and practising in Ayurvedic medicines also in the said clinic since 2012. Her income for the assessment year 2019-20 is Rs.3,27,933/-. Her income tax returns for the assessment years 2017-18, 2018-19 and 2019-20 are placed on record. Also copies of Pan Card, Aadhar Card and property statement and bank reference as also proof of residence are placed on record.

6. There is a Home Study Report Part-I – Self assessment dated 8 August 2017 and 25 January 2020, by the adoptive parents which has all necessary details in regard to the familiarity with adoption, family background information, information in regard to the parents, professional/employment details, financial position, current marital relationship, attitude of grandparents/extended family members, rehabilitation plan for the child in case of any eventuality, health status etc. There is also Assessment Report-II of the Social Worker Mr.Kishor Deshmukh (M.S.W.) associated with “Holy Cross Home for Babies”, Amravati, Maharashtra, setting out his remarks on the adoptive parents under various heads to list some of them namely the factual assessment, psycho-social assessment, his findings on home

visit, financial capacity, physical and emotional capacity. In the recommendation, Mr.Kishor Deshmukh has recorded that the adoptive parents are well educated and well settled and they are financially stable and having good family support. They have financial and physical capability to raise a child. He has recommended adoption of a minor child. The adoptive parents have also placed on record a child care arrangement plan from the adoptive mother. There is also a child security undertaking dated 23 December 2019 by the Sister and brother-in-law of the prospective adoptive mother to look after the minor Vedika in case of any mishap to the adoptive parents. The photograph of the adoptive family as also of minor Vedika are also placed on record.

7. In regard to the medical examination of minor Vedika, a report dated 3 December 2019 is placed on record stating that her health status is normal. The adoptive parents have also countersigned the said report. The HIV report of the minor dated 27 November 2019 is also placed on record certifying her to be negative.

8. There is a declaration of joint consent and willingness of the prospective adoptive parents stating that they are declaring that they are willing to be appointed or declared as adoptive parents of minor Vedika. Also there is a pre-adoption foster care undertaking dated 24

December 2019 in pursuance of which the child is already in foster care of the adoptive parents.

9. The local agency Holy Cross Home For Babies, Amravati also has issued an undertaking dated 11 December 2019 for furnishing post adoption follow up reports.

10. The adoptive parents desire that the minor **Vedika** be renamed as **Aaradhya Vipul Bhattad**.

11. The petitioner-institution's recognition from the Women & Child Development, Maharashtra, to place children in adoption is valid upto 31 March 2020.

12. There is a representation of Mr. O. Hareenran, Scrutiny Officer of the Indian Counsel of Social Welfare, Central Office, Mumbai, (marked 'X' for identification) dated 12 February 2020, setting out all the details in regard to the proposed adopters. The representation does not indicate anything adverse, for this Court, not to permit the adoption in question.

13. At today's hearing both the adoptive parents alongwith minor **Vedika** were present. I had a brief interaction with them. They appear to be very happy with their decision to have minor **Vedika** in adoption. I could see happiness of both the adoptive parents. They have now a feeling of completeness of a happy family.

14. In the circumstances, I do not find any impediment in granting the reliefs as prayed for. Hence, the following order:-

ORDER

1. The Indian Adoption Petition is allowed in terms of prayer clauses (a) and (b) which read thus:-

(a) This Hon'ble Court may be pleased to appoint the Adopters as adoptive parents of the person of a female minor VEDIKA @ AARADHYA VIPUL BHATTAD now in the care and custody of the Petitioners: SWTI Bal Vikas, Shishu Bhavan, Malad (E), Mumbai-400097.

(b) That the Petitioners/Adopters be granted leave to apply to the Municipal authorities to issue within five working days of application a Birth Certificate of the minor VEDIKA @ AARADHYA VIPUL BHATTAD showing the first adopters VIPUL GOPALDAS BHATTAD as the

adoptive father and his wife the second adopter PRIYA
VIPUL BHATTAD as the adoptive mother respectively.”

2. The Judge’s order is separately signed.
3. The adoptive parents shall invest an amount of Rs. **1,50,000/-**
(Rs. One Lakh Fifty thousand Only) in the name of the minor **VEDIKA
@ AARADHYA VIPUL BHATTAD** by way of Life Insurance Policy having
single premium, which would have maturity on the minor attaining
majority.
4. The life insurance policy be placed on record within three
months from today. Judges order be accordingly read.
5. The prospective parents are directed not to give the minor
VEDIKA @ AARADHYA VIPUL BHATTAD in further adoption to any
other person without the leave of the Court.
6. The Indian adoption petition is disposed of in the above terms.

Prashant
V. Rane

Digitally signed by
Prashant V. Rane
Date: 2020.03.03
18:58:39 +0530

[G.S. KULKARNI, J.]