

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

**FOREIGN ADOPTION PETITION NO.12 OF 2020**

Bal Asha Trust .. Petitioner

And

Michael Lee Cook &

Angy Jose Kallarackal

.. Proposed Adopters

Mr. Rakesh Kapoor for the petitioners.

Mr. O Hareendran Nambiar for Indian Counsel of Social Welfare.

Mr. Arun Kesarkar , 3<sup>rd</sup> Assistant Master.

**CORAM : A. K. MENON, J.**

**DATE : 16TH DECEMBER, 2020.**

**P.C. ,**

1. This petition is presented pertains to the proposed adoption if a minor girl born on 9<sup>th</sup> April, 2018. She was found abandoned by the Tardeo Police Station on 19<sup>th</sup> April, 2018 and admitted to Nair Hospital on the same day. On 30<sup>th</sup> April, 2018 she was discharged from Nair Hospital and transferred to Bal Asha Trust.

2. Mr. O Hareendran, Scrutiny Officer of ICSW, has sent in his submissions by email. His presence is dispensed with in view of Covid 19 protocol. The prospective adoptive parents are citizens of United States of America. They have been married since 7 years with no biological children. They have, however, adopted a minor girl aged about 3½ years from within the United States of America. The prospective adoptive parents are said to be well settled. The first of them is working as a Lead Content Strategist with MRM/McCann and the second is an Assistant Professor at Mount St.Mary's University. Both are gainfully employed. The child has been declared free of adoption.
3. The necessary public notice was issued on 23<sup>rd</sup> May, 2018 in "Tarun Bharat" Mumbai and on 7<sup>th</sup> June, 2018 in "Nav Shakti" by which a verification has been completed and as on date I am told no person has come forward claiming the said child. Safe custody order is on record. CARA has issued its N.O.C. on 24<sup>th</sup> February, 2020. The Office of the Secretary of State, State of Maryland has certified true copies of passports of the parties and other documents which discloses that they are residents of the United States of America.

4. A copy of an order dated 19<sup>th</sup> December, 2019 issued by the Third Judicial District Court, State of Utah is on record which establishes adoption of the child already adopted. The Home Study Report is on record and is found to be satisfactory. The psychologists report was also found satisfactory. Child Study Report has been perused by the prospective adoptive parents. The child has been diagnosed with squint and requires special needs. She has already undergone one surgery and may require further correction. However, the prospective adoptive parents have confirmed their continued willingness to adopt the child.
5. Mr. Kapoor has today presented a letter dated 11<sup>th</sup> September, 2020 issued issued by the Children's Home Society of Minnesota confirming the intention of the prospective adoptive parents to adopt Felisha presently with the Bal Asha Trust. They have confirmed that they continue to be in good health and gainfully employed and there is no change in the status since November 2019. They have no symptoms of fatal or contagious diseases as on date of issuance of the certificate. The medical certificates of the prospective adoptive parents are also on record. These are taken on record and marked "X"

Colly. for identification. In view thereof, I find no hesitation in allowing this petition.

6. Accordingly, I pass the following order;

(i) Petition is allowed in terms of prayer clauses (a) to (e) both inclusive.

(ii) Judge's Order is signed separately.

(iii) Petition is disposed in the above terms.

(iv) This order shall be digitally signed by the Personal Assistant of this Court.

(A. K. MENON, J.)

Sandhya  
Wadhwa

Digitally signed by  
Sandhya Wadhwa  
Date: 2020.12.18  
18:45:59 +0530