

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

INDIAN ADOPTION PETITION NO. 38 OF 2020**

Bal Asha Trust through ... Petitioner

Authorised Signatory Sunil Kumar Arora

vs.

Sanjay Sukharam Hiwale and Anr. ... Proposed Adopters

Mr. Rakesh Kapoor for the Petitioner.

Mr. Arun Kesarkar, 2nd Assistant Master.

CORAM : A. K. MENON, J.

DATED : 22nd DECEMBER, 2020

P.C. :

1. The petition is filed pursuant to section 56 and 58 of the Juvenile Justice (Care and Protection of children) Act 2015. Mr. O. Hareendran Nambiar for Indian Council of Social Welfare is granted leave of absence in view of Emailed submissions and Covid-19 protocols.

2. The petitioner seeks an order of adoption of minor male child born on 27th August, 2019. The minor is in the custody of Bal Asha Trust. The prospective adoptive parents are residents of Dombivali. The child was registered in the Adoption Resources Information System. The Adoption Committee has since assessed suitability of the adoption and vide report dated 14th February, 2020 at Exhibit 'A', has recommended adoption. The child was declared legally free for adoption by the Child Welfare Committee on 11th November, 2019. The minor was surrendered by her biological parents and nobody has disputed the same.

3. The petitioner submitted that the prospective adoptive parents are fully conversant with the consequences of adoption and are willing to bring up their child as their own. They have been married for 17 years and have no children of their own and hence have decided to adopt the child. Joint consent of the prospective adoptive parents is on record. They have declared their readiness and willingness to adopt the minor.

4. The prospective adoptive father is self employed, engaged as a Board Painter and Photo Frame Maker. Income documents are annexed. Home study report has found that the prospective adoptive parents are suitable persons. Child study report and medical reports are also on record and are found to be satisfactory.

5. I am therefore of the view that the petition is liable to be allowed and I pass the following order:

- (i) Petition is allowed in terms of prayer clause (a) to (d) both inclusive.
- (ii) The child shall not be offered for further adoption.
- (iii) Judge's order is signed separately. Undertakings are accepted.
- (iv) Petition is disposed in the above terms.

(A. K. MENON, J.)

Rajeshwari
R. Pillai

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Rajeshwari R.
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