

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

**INDIAN ADOPTION PETITION NO.27 OF 2021
WITH
JUDGE'S ORDER NO.28 OF 2021**

Bal Asha Trust

... Petitioner

Versus

Arjun Pengat

Kirti A. Nair

... Prospective Adoptive Parents

.....

Mr. Rakesh K.L. Kapoor for the Petitioner.

Mr. O. Hareendran, Security Officer, Indian Council of Social Welfare,
present.

.....

**CORAM : S.C. GUPTE, J.
(IN CHAMBERS)**

DATE : 30 APRIL / 7 May 2021

P.C. :

. Heard Mr. Kapoor, learned Counsel for the Petitioner, and Mr. Hareendran, Scrutiny Officer, Indian Council of Social Welfare (ICWS), in the Chambers through a VC hearing.

2 The petition proposes adoption of a female minor child by the name of Shravani, born on 1 March 2019. The child was surrendered by the grandmother of minor mother before the Child Welfare

Committee, Palghar on 27 November 2019. The ‘legally free for adoption’ order was passed by the Child Welfare Committee, Palghar after inquiry under Section 38 of Juvenile Justice (Care and Protection of Children) Act, 2015 (“Act”) on 24 February, 2020. The same is placed on record.

3 The proposed adoptive parents are Indian nationals residing at Koperkhairne, Navi Mumbai. They are aged about 41 and 40 years, respectively, having been married for the past 9 years with no biological child. The motivation letter of the proposed adopters has been placed on record, stating *inter alia* that both of them have always dreamt of being parents and being aware that adoption is a great option of becoming parents, have decided to adopt the child. The decision of the Adoption Committee meeting, held online on 29 July 2020, granting in principle approval for adoption, subject to furnishing documents mentioned therein, has been placed on record. It is submitted that the documents since have been submitted to the Committee and the committee has given its final approval for the referral. The final approval of the committee has been furnished at the hearing before this court and has been taken on record, marked ‘X’ for identification.

4 The prospective adoptive father has been working as a Customer Success Manager with Microsoft Corporation (India) Pvt. Ltd., Mumbai since last 7 years with a monthly gross salary of

Rs.5.83 lacs, whilst the prospective adoptive mother is a homemaker. Financial documents, such as salary slips, copies of PAN card and AADHAR card, provident fund statement, of the adoptive father have been placed on record together with proof of residence and other supportive documents.

5 Medical reports of the adoptive parents showing that they are in good health for adopting the child, along with their negative HIV and other test reports, have also been placed on record.

6 A home study report of Part-I self assessment and Part-II by the Protection Officer (IC) District Child Protection Unit, Thane, has also been placed on record. The report of the Protection Officer (IC) has considered and found them to be suitable for adopting a child.

7 Child security undertaking, furnished by the cousin sister and brother-in-law of prospective adoptive mother, residing at Majiwada, Thane, offering to look after the minor child in case of any mishap to the prospective adoptive parents, has been placed on record.

8 A medical examination report of the minor, indicating the child to be a normal and healthy infant, which has been countersigned by the prospective parents, has been placed on record, together with declaration of consent and willingness of the prospective adoptive parents. Health certificates, such as negative HIV report, of the minor

have been placed on record.

9 Considering the material placed on record, some of which has been referred to above, and compliances noted as above, this Court is of the view that the adoption petition deserves to be allowed. The report of the Scrutiny Officer, dated 25 March 2021, is taken on record, marked '**X-1**' for identification.

10 The petition is, accordingly, allowed in terms of prayer clauses (a) to (d).

11 In accordance with the practice note of this court for Indian adoptions, the prospective adoptive parents have offered to make an investment in the name of the minor child in the sum of Rs.2 lacs and submit a report of such investment.

12 A separate Judge's Order for appointing the prospective adopters as adoptive parents of the minor Shravani is signed by this Court today.

(S.C. GUPTE, J.)