

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

AND

IN ITS GENERAL AND INHERENT JURISDICTION

INDIAN ADOPTION PETITION NO. 14 OF 2021

WITH

JUDGE'S ORDER NO. 23 OF 2021

IN

INDIAN ADOPTION PETITION NO. 14 OF 2021

Bal Asha Trust, Mumbai

...Petitioner/Applicant

and

Vishwanath Manohar Harapanahalli And

Pallavi Vishwanath Harapanahalli

...Proposed Adoptive Parents

Mr. Rakesh Kapoor, for the Petitioner.

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

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

DATE : 25 MARCH 2021

P.C. :

. Heard Mr. Rakesh Kapoor, learned Counsel for the Petitioner and Mr. O. Hareendran, Scrutiny Officer, Indian Council of Social Welfare (ICSW), in the Chambers. The adoptive parents are not present due to the present pandemic situation.

2. The petition proposes adoption of a male minor child by the name of Advait born on 13 December 2019. Custody of the child was given to the Petitioner institution on the same day as the child was surrendered by his biological parent to the Child Welfare Committee, Mumbai City II on

18 December 2019. The admission order is placed on record. After making inquiries under Section 38 of the Juvenile Justice (Care and Protection of Children) Act, 2015, the CWC, Mumbai City II declared the minor child legally free for adoption. The certificate dated 24 February 2020 is placed on record.

3. The adoptive parents are Indian nationals residing at Dharwad, Karnataka. They are aged about 45 and 37 years, respectively, having been married for the past 8 years with no biological child. Motivation letter of the adoptive parents as also the decision of the Adoption Committee Meeting approving both parents as adoptive parents of the referred child are placed on record. Medical reports of the prospective adoptive parents certify them to be in a stable state of health and fit to adopt. PAN and Aadhar cards and supportive financial documents in respect of the prospective adoptive parents are also placed on record.

4. The prospective adoptive father is self-employed (running a stationery shop) with a gross income of over Rs. 3 lakh for A.Y. 2019-20, whereas the prospective adoptive mother is a homemaker.

5. Home study reports (Part I and Part II) containing self assessment as well as assessment report of the social worker of Amulya (G) Shishugruha, Hubballi, Karnataka, has been placed on record. It considers various relevant aspects and after holding that the couple meets with all pre-requisites for adoption, has recommended placing of the child for adoption with prospective adoptive parents. In pursuance of the report submitted by Indian Council of Social Welfare, the latest ITR (of 2020-21) and updated home study report are submitted by learned Counsel for the

Petitioner. They are taken on record, marked “X” for identification.

6. The brother of the prospective adoptive mother and his wife have furnished an undertaking to look after the minor child in the event of any unforeseen mishap to the adoptive parents.

7. Medical examination report of the minor child is placed on record. The report indicates normal development of a healthy child. The prospective adoptive parents have countersigned the medical examination report.

8. An undertaking on behalf of the adoptive parents to send follow up reports has been furnished by Amulya (G) Shishugruha, Hubballi, Karnataka.

9. Considering the material placed before the court, 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 Scrutiny Officer dated 11 March 2021 is taken on record as “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 investments in the name of a minor child in the sum of Rs.1 lakh and submit a report of such investments.

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

(S.C. GUPTE, J.)