

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

**INDIAN ADOPTION PETITION NO. 15 OF 2021  
WITH  
JUDGE'S ORDER NO. 25 OF 2021  
IN  
INDIAN ADOPTION PETITION NO. 15 OF 2021**

M.S.W.C. Asha Sadan Balgruh .. Petitioner  
And  
1. Mr. Sameer Ramesh Yadav  
2. Mrs. Shefali Sameer Yadav .. Prospective Adoptive Parents  
Mrs.Varsha Bhogle Deshmukh for petitioner.  
Mr.O. Hareendran, Representative of ICSW present.  
Mr. Arun Kesarkar, 2<sup>nd</sup> Asstt. Master present.

**CORAM : N.J. JAMADAR, J.  
DATE : 10<sup>th</sup> FEBRUARY 2021  
(IN CHAMBERS)**

**PC.**

1. This petition under section 56 of the Juvenile Justice (Care and Protection of Children) Act, 2015 (hereinafter referred as 'the Act, 2015') is preferred by M.S.W.C. Asha Sadan Balgruh, a specialized adoption agency. The petitioner seeks an order permitting adoption of a female child born on 21<sup>st</sup> April 2020, and entrusted to its custody by an order dated 25<sup>th</sup> April 2020 by the Child Welfare Committee, Mumbai City-II. The petition is supported by an affidavit of Ms.Jayalakshmy K., Superintendent/ Authorized Signatory of the petitioner.
2. Perused the report Mr.O. Hareendran, Scrutiny Officer of Indian

Council of Social Welfare.

3. The minor is a surrendered child. The Child Welfare Committee has declared the child legally free for adoption, post an enquiry envisaged under section 38 of the Act, 2015, by order dated 29<sup>th</sup> September 2020.

4. The Adoption Committee, in its meeting held on 5<sup>th</sup> January 2021, has approved the proposal of the prospective adoptive parents Mr. Sameer Ramesh Yadav and Mrs. Shefali Sameer Yadav to adopt the child. The Committee found that the prospective adoptive parents are suitable to adopt the child.

5. The child study and medical examination reports reveal that the child is developmentally normal and healthy. The HIV test of the child is non-reactive. The prospective adoptive parents have perused and understood the contents of the medical examination reports of the child and have shown willingness to accept the child as their adoptive child.

6. The marriage of the prospective adoptive parents was solemnized on 30<sup>th</sup> April 2007. They have no biological issue. The primary motivation for adoption seems to be the desire to have the child and complete the family. The medical officers have certified the fitness of the prospective adoptive parents. Their HIV tests are reported to be non-reactive.

7. The home study found the prospective adoptive parents a very happily married couple. They are mature and responsible towards their

decisions in life. They are physically, emotionally and financially fit to adopt a child.

8. The learned counsel for the petitioner has tendered today the home visit and placement report along with follow-up report and also certified to be true recent photographs of the child with prospective adoptive parents. The same are taken on record. The home study report, *inter-alia*, reveals that the child appeared to be happy in pre-adoption foster care of the prospective adoptive parents. She seemed to be happy and enjoying the company of the prospective adoptive parents.

9. Mr. Samir Yadav, the prospective adoptive father is working as Zonal Head, TASC West with Standard Chartered Bank. The salary slips for the months of September 2020, October 2020 and November 2020 indicate that the net earning was in the range of Rs.1,50,000/- to Rs.2,00,000/-. The income tax returns for the assessment years 2018-2019, 2019-2020, and 2020-2021 are placed on record. The prospective adoptive mother is a homemaker. The prospective adoptive parents appear to be well placed in life and financially stable and secure. The decision of the prospective adoptive parents to adopt the child seems to have been well received by their family and friends.

10. Mr. Mahesh Satle and Mrs. Sheetal Satle, brother-in-law and sister of the prospective adoptive mother Mrs. Shefali Yadav have furnished an

undertaking to look after, maintain and educate the child in an unforeseen eventuality.

11. In the light of the aforesaid material on record especially the home study report, the situation in life of the prospective adoptive parents, their social and financial standing, level of motivation and overall disposition, I am of the considered view that the prospective adoptive parents are physically fit, mentally alert and highly motivated to adopt the child and have the potential to provide a good upbringing to the child. Thus, the petition deserves to be allowed.

12. Hence the following order :

#### **O R D E R**

(i) The petition is allowed in terms of prayer clauses

(a) to (e).

(ii) The child shall not be offered for further adoption.

(iii) Undertakings are accepted.

(iv) Judge's order is signed separately.

The petition stands disposed of in the aforesaid terms.

**[ N.J. JAMADAR, J. ]**

Shraddha  
K.  
Talekar  
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K. Talekar  
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