

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

**INDIAN ADOPTION PETITION NO. 22 OF 2021
WITH
JUDGE'S ORDER NO. 37 OF 2021**

Family Service Centre, Mumbai	...Petitioner
and	
Dinesh Kishor Rao Shastrakar and	
Rupali Dinesh Shastrakar	...Proposed Adoptive Parents

Mr. Rakesh Kapoor for Petitioner.
Mr. O. Hareendran, Scrutiny Officer, Indian Council of Social Welfare,
present.

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

DATE : 19 MARCH 2021

PC. :

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 Advay born on 2 July 2020. Custody of the child was given to the Petitioner institution on the same day as the child was surrendered by his biological mother to the Child Welfare Committee, Mumbai City II on 9 July 2020. 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 10 September 2020 is placed on record.

3 The prospective adoptive parents are Indian nationals residing at Wardha. They are aged about 41 and 34 years, respectively, having been married for the past 10 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 is placed on record. An affidavit of the Chief Functionary of the Specialized Adoption Agency, i.e. the Petitioner herein, and the medical report of the prospective adoptive parents certifying them as free from any communicable diseases and are mentally and physically fit as well as PAN and Aadhar cards and other supportive financial documents of the prospective adoptive parents are placed on record.

4 The prospective adoptive father is working as a Lab Attendant in Agnihotri College of Pharmacy, Wardha, whereas the prospective adoptive mother is working as a Teacher at Shining Stars School, Gopuri, Wardha. The child care plan declaration indicates that the prospective adoptive mother is living in a joint family with her in-laws and in her absence, her in-laws would take care of the child.

5 The home study report containing self assessment as well as assessment report of the social worker, Aakansha Shishu Kalyan Kendra, Sevagram, Wardha, has been placed on record. It has considered various relevant aspects and recommended placing of the child for adoption with prospective adoptive parents. There is also an updated assessment report of District Child Protection Officer, Wardha, which, after taking into account the Officer's home visit, holds the prospective adoptive parents to be of

good financial status and in a good physical and emotional state to take care of the child and recommends the couple for adoption.

6 The elder sister and bother-in-law of the prospective adoptive father have furnished undertaking to look after the minor child in the event of any unforeseen mishap to the co-Petitioners.

7 The medical examination report of the minor child is placed on record. The report does not indicate any major abnormality. The prospective adoptive parents have countersigned the medical examination report. The child is, accordingly, demonstrated to be a normal and active child with a negative HIV report. So also, consent and willing of the adoptive parents, which is placed on record, indicates that such consent and willingness have been indicated having gone through the medical examination of the minor child. There is also an undertaking on their behalf to send a follow up report of Aakansha Shishu Kalyan Kendra, Sevagram, Wardha.

8 Considering the material placed before the court, some of which has been referred to above, and various compliances noted as above, this court is of the view that the adoption petition deserves to be allowed. The report of Scrutiny Officer dated 10 March 2021 is taken on record as 'X' for identification.

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

10 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 a minor child in the sum of Rupees Seventy Five Thousand and submit a report of such investment.

11 A separate Judge's Order for appointing prospective parents as adoptive parents is signed by this court today.

(S.C. GUPTE, J.)

Sanskriti
A.
Thakur

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