

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

**INDIAN ADOPTION PETITION NO.23 OF 2021
WITH
JUDGE'S ORDER NO.38 OF 2021**

Shri Manav Seva Sangh And Anupama P. ...Petitioner
Gangan

Versus

Ashok Rajaram Khajanekar & Anr. ...Proposed
Adoptive parents

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Mr. Rakesh Kapoor - Advocate for the Petitioner.

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

Mr. D. R. Talekar – Chamber Registrar, present.

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CORAM : DAMA SESHADRI NAIDU, J.

DATE : 18th JUNE 2021.

P.C. :

Heard Shri Rakesh Kapoor, the learned counsel for the Petitioner, and Shri O. Hareendran, the Scrutiny Officer, Indian Council of Social Welfare (ICWS), in the Court through a VC link.

2. The petition proposes adoption of a boy, Dhairya, born on 28 February 2020. The child was surrendered by the biological mother before the Child Welfare Committee, Mumbai City II, on 08 June 2020. And on the same day,

the boy was handed over to the Petitioner institution, Shree Manav Seva Sangh, Mumbai. Later, 24 August 2020, the Child Welfare Committee inquired and passed the 'legally free for adoption' order under Section 38 of Juvenile Justice (Care and Protection of Children) Act, 2015. The order is placed on record.

3. The proposed adoptive parents are Indian nationals residing at Casnem, North-Goa. They are aged about 47 and 44 years, having been married for the past 13 years with no biological child. The proposed adopters' motivation letter has been placed on record. In that letter, they state that they both have always dreamt of being parents, but they remained childless. With the knowledge that adoption is a great option of becoming parents, they have decided to adopt a child. The Adoption Committee, in its meeting held online on 10 November 2020, granted principal approval for adoption, subject to the proposed adopters' furnishing the required documents. That Committee's order, too, has been placed on record.

4. The prospective adoptive father is working as a Sub-staff (Temporary Employee) with Life Insurance Corporation of India, Pernem Bench, Goa, for the last thirteen years with a monthly gross salary of Rs. 21,206.78/-; he has also engaged himself as a part-time Social Worker with Jogeshwari Gramin Vikas Sevabhavi Sanstha, Pernem, Goa, with a monthly gross salary of Rs.

8,000/-; the prospective adoptive mother is a homemaker. Financial documents, such as salary slips, copies of PAN card, 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 assessment report in Part-II by the Professional Social Worker of Matruchhaya, Ponda, Goa, have also been placed on record. The said report has considered and found the proposed adoptive parents suitable for adopting a child.

7. Child security undertaking, furnished by the prospective adoptive father's brother and sister-in-law, residing at Pernem, Goa, has been placed on record. They offer to look after the minor child if any mishap befalls the prospective adoptive parents.

8. The minor's medical examination report, indicating the child to be a normal and healthy one and countersigned by the prospective parents, has been placed on record. It is filed together with the prospective adoptive parents' declaration of consent and willingness. 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. In this regard, the report of the Scrutiny Officer, dated 15.06.2021 is taken on record and marked-'X' for identification.

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

11. In tune with this Court's practice note for Indian adoptions, the prospective adoptive parents have offered to invest in the child's name Rs. 1 lakh and submit a report of such investment.

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

[DAMA SESHADRI NAIDU, J.]