

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

**INDIAN ADOPTION PETITION NO.32 OF 2021
WITH
JUDGE'S ORDER NO.57 OF 2021**

Family Service Centre ... Petitioner
Versus
Karthik B. Shakar
Akshatha S. ... 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. GUPTA, J.
(IN CHAMBERS)

DATE : 30 APRIL 2021

P.C. :

1. 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 Innaya, born on 28 August 2020. The child was surrendered

by the biological mother before the Child Welfare Committee, Mumbai City-I on 29 August 2020. The ‘legally free for adoption’ order was passed by the Child Welfare Committee, Mumbai City-II after inquiry under Section 38 of Juvenile Justice (Care and Protection of Children) Act, 2015 (“Act”) on 29 October 2020. The same is placed on record.

3 The proposed adoptive parents are Indian nationals residing at Bangalore. They are aged about 37 and 34 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, indicating *inter alia* their inability to have a biological child despite having been married for nine years and hence, their decision to adopt the child. The decision of the Adoption Committee dated 23 November 2020 has also been placed on record *inter alia* confirming the suitability of the adoptive parents to adopt the minor child. An affidavit by the Chief Functionary of the Specialized Adoption Agency, that is, the Petitioner herein, has also been placed on record.

4 The prospective adoptive father has been working as a Senior Manager with Genpact India Private Limited since last 11 years with a monthly gross salary of over Rs.1.28 lacs, whilst the prospective adoptive mother is a homemaker. Financial documents, such as salary slips, employment certificate and income tax returns, of the 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 a child, along with their HIV negative and other test reports, have also been placed on record.

6 A home study report showing self assessment as well as an assessment report of a social worker of Shishugreh, Amulya (G), C/o. Shishu Mandir, Bangalore, Karnataka has also been placed on record. The report has considered and found the prospective adoptive parents to be suitable for adopting a child.

7 Child security undertaking, furnished by the sister and brother-in-law of the adoptive father, both residing at Bangalore, 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 26 March 2021, is taken on record, marked 'X' 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 Inaaya is signed by this Court today.

(S.C. GUPTE, J.)