

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS GENERAL AND INHERENT JURISDICTION
INDIAN ADOPTION PETITION NO. 39 OF 2020
WITH
JUDGE'S ORDER NO. 77 OF 2020
IN
INDIAN ADOPTION PETITION NO. 39 OF 2020
Vidhi Rahul Kulankar Minor**

Bal Asha Trust .. Petitioner
And
Rahul Shyam Kulankar
Rashmi Rahul Kulankar .. Prospective Adoptive Parents

Mr. Rakesh Kapoor for petitioner.
Mr.O. Hareendran, Representative of ICSW present.
Mr. Arun Kesarkar, 2nd Asstt. Master present.

CORAM : N.J. JAMADAR, J.

DATE : 13th JANUARY 2021

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 Bal Asha Trust, a specialized adoption agency. The petitioner seeks an order permitting adoption of a female child born on 13th November 2019, and entrusted to its custody by an order dated 22nd November 2019 by the Child Welfare Committee, Mumbai City II. The petition is supported by an affidavit of Mr.Sunil Kumar Arora, Authorized Signatory/Executive Director, Convener of the petitioner.

The report of Mr.O. Hareendran, Scrutiny Officer of Indian Council of Social Welfare is taken on record and considered.

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2. The minor is a surrendered child. The Child Welfare Committee has declared the child legally free for adoption, post an enquiry envisaged by section 38 of the Act, 2015, by its order dated 29th January 2020.
3. The adoption Committee, in its meeting held on 6th March 2020 has approved the proposal of the prospective adoptive parents Mr. Rahul Shyam Kulankar and Mrs. Rashmi Rahul Kulankar to adopt the child. The Committee found that the prospective parents are motivated to adopt the child and are also willing to adopt the child.
4. The medical reports of the child reveal that the child is developmentally “Normal”. She has developed well in the institution. The HIV test report of the minor dated 17th January 2020 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. The prime motivation for the prospective adoptive parents to adopt the female child seems to be a strong urge to complete the family as they have a biological son Reyansh, born on 3rd February 2014.
5. The Home Study Report strongly recommends the proposal for adoption. It, *inter-alia*, records that the prospective adoptive parents are happily married couple. They enjoy the parenting of their biological son Reyansh. They are eagerly waiting to be the parents of baby girl through

adoption and complete their family. The couple is physically, mentally and financially fit to adopt the second child. The Home Study thus found the prospective adoptive parents suitable to adopt the child.

6. The prospective parents also appear to be well placed in life. The prospective adoptive father is working as Manager in Virtusa Consulting Services Private Limited. The net monthly earning appeared to be in the range of Rs. 1,20,000/- per month.

7. The parents of the prospective adoptive father seem to have supported the decision of the adoptive parents. An undertaking dated 14th March 2020 by Mr. Aniket Ramekar and Mrs. Saily Bhanushali, the brother and sister in-law of Mrs. Rashmi Rahul Kulankar, the prospective adoptive mother, is on record. They have undertaken to take care of the child in an unforeseen eventuality.

8. Upon a careful consideration of the material on record, including the Home Study Report, the situation in life of the proposed adoptive parents, their level of motivation, I am of the view that the adoptive parents are physically fit, financially sound, mentally alert and highly motivated to adopt the child for providing a good upbringing to the child. Thus, the petition deserves to be allowed.

9. Hence the following order :

O R D E R

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

(a) to (c).

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

(iii) Judge's order is signed separately.

(iv) Undertakings are accepted.

The petition stands disposed of in the aforesaid terms.

[N.J. JAMADAR, J.]