

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

**INDIAN ADOPTION PETITION NO. 3 OF 2021
WITH
JUDGE'S ORDER NO. 8 OF 2021
IN
INDIAN ADOPTION PETITION NO. 3 OF 2021**

St. Catherine's Home .. Petitioner
And
Mr. Abhirup Dhar
Mrs. Chandrani Banerjee .. Prospective Adoptive Parents
Mr. Rakesh Kapoor i/b M/s. Rakesh K.L. Kapoor and Co. for petitioner.
Mr. O. Hareendran, Representative of ICSW present.
Mr. Arun Kesarkar, 2nd Asstt. Master present.

CORAM : N.J. JAMADAR, J.

**DATE : 10th FEBRUARY 2021
(IN CHAMBERS)**

PC.

1. This petition under section 56 of the Juvenile Justice (Care and Protection of Children) Act, 2015 (hereinafter referred to as 'the Act, 2015') is preferred by St. Catherine's Home, a specialized adoption agency. The petitioner seeks an order permitting adoption of a female child born on 7th April 2020, and entrusted to its custody by an order dated 17th April 2020 by the Child Welfare Committee, Mumbai Suburban-II. The petition is supported by an affidavit sworn by Sister Cicily A. Chiramal, Authorized Signatory/Convener 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. Post an enquiry envisaged under section 38 of the Act, 2015, the Child Welfare Committee, by order dated 6th August 2020, has declared the child legally free for adoption.

4. The Adoption Committee has approved the proposal of Mr.Abhirup Dhar and Mrs.Chandrani Banerjee, the prospective adoptive parents to adopt the child in its meeting held on 28th August 2020. The Adoption Committee found the prospective adoptive parents suitable to adopt the child.

5. The child study and medical examination reports reveal that the child is developmentally normal. The child has achieved all the expected milestones for her age. The HIV test of the child is negative. 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 prospective adoptive parents' marriage was solemnized on 2nd October 2015. They have no biological issue. They seem to have a genuine urge to complete the family by adopting a child. The prospective adoptive parents have been certified to be fit, save the lifestyle deceases of elevated levels of Blood Pressure and Cholesterol. They are stated to be under regular medication.

7. The home study report appraises the prospective adoptive parents favourably. It, *inter-alia*, records that the prospective adoptive parents are very positive and determined about their decision to adopt the child. They are mature and responsible. They are financially stable. The home study thus recommends the proposal of the prospective adoptive parents for adoption.

8. The prospective adoptive parents appear to be well placed in life. The prospective adoptive father Mr. Abhirup Dhar is working as Assistant Vice President with Yes Bank, Mumbai. His net pay for the month of August 2020 was Rs.1,32,357/-. The income tax returns acknowledgment for the assessment years 2017-18, 2018-19 and 2019-20 are also placed on record, which indicate that the prospective adoptive father has a good source of income. The prospective mother is a homemaker. The overall financial condition of the prospective adoptive parents appears to be stable and secure. The decision of the prospective adoptive parents to adopt the child seems to be received well by their family and friends.

9. Mr.Rajib Banerjee and Mrs.Mita Banerjee, brother and sister-in-law of the prospective adoptive mother Mrs.Chandrani Banerjee have furnished an undertaking to look after, maintain and educate the child in an unforeseen eventuality.

10. In the light of the aforesaid material on record including 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 persuaded to hold 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.

11. Hence the following order :

O R D E R

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

(a) to (d).

(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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