

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

**INDIAN ADOPTION PETITION NO. 4 OF 2021
WITH
JUDGE'S ORDER NO. 9 OF 2021
IN
INDIAN ADOPTION PETITION NO. 4 OF 2021**

St. Catherine's Home .. Petitioner
And
Sunilbhai Manibhai Patel
Manjulaben Sunilbhai Patel .. 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 : 3rd FEBRUARY 2021
(IN CHAMBERS)**

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 St. Catherine's Home, a specialized adoption agency. The petitioner seeks an order permitting adoption of a male child born on 23rd April 2020, and entrusted to its custody by an order dated 4th May 2020 by the Child Welfare Committee, Mumbai Suburban-II. The petition is supported by an affidavit of 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 has declared the child legally free for adoption by order dated 6th August 2020.

4. The Adoption Committee, in its meeting held on 23rd September 2020, has approved the proposal of the prospective adoptive parents Mr.Sunilbhai Manibhai Patel and Mrs. Manjulaben Sunilbhai Patel to adopt the child. The Committee found that the prospective adoptive parents are motivated to adopt the child and are also suitable.

5. The child study and medical examination reports reveal that the child is developmentally normal. The HIV test of the child 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 marriage of the prospective adoptive parents was solemnized on 17th March 2006. They have no biological issue. They seem to have a genuine urge to have a child and complete the family.

6. The medical reports of the prospective adoptive parents reveal that none of them is suffering from any contagious or serious disease. They are certified to be mentally and physically fit to adopt the child.

7. The prospective adoptive father is working as a Fitter with P Chhotalal Manufacturers and Exporters, Ahmedabad and salary slip for the month of July reveals that his net salary was Rs.26,070/-. The prospective adoptive mother is a homemaker. The financial position of the prospective adoptive parents seems to be reasonably stable.

8. The Home Study Report indicates that the marital bond between the prospective adoptive parents is strong. They compliment each other well. They command a good respect in society. They are strongly motivated to adopt the child. The home study apprises the prospective adoptive parents favourably. The decision of the prospective adoptive parents to adopt the child seems to have been supported and well received by the family of the prospective adoptive parents.

9. Mr. Thakorbbhai Manibhai Patel and Mrs. Anjuben Thakorbbhai Patel, the brother and sister-in-law of Mr. Sunilbbhai, the proposed adoptive father, have furnished an undertaking to look after the child in an unforeseen eventuality.

10. On careful consideration of the material on record including the home study report, the situation in life of the prospective adoptive parents, their financial standing, their 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) Judge's order is signed separately.

(iv) Undertakings are accepted.

The petition stands disposed of in the aforesaid terms.

Shraddha
K.
Talekar

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signed by
Shraddha
K. Talekar
Date:
2021.02.08
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[N.J. JAMADAR, J.]