

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

**INDIAN ADOPTION PETITION NO. 6 OF 2021
WITH
JUDGE'S ORDER NO. 12 OF 2021
IN
INDIAN ADOPTION PETITION NO. 6 OF 2021**

St.Catherine's Home	.. Petitioner
And	
1. Nana Sampat Ulare	
2. Pratibha Nana Ulare	.. Prospective Adoptive Parents

Mr. Rakesh Kapoor i/b 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 : 17th 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 31st December 2019, and entrusted to its custody by an order dated 30th January 2020 by the Child Welfare Committee, Mumbai City-II, Mumbai Suburban District. The petition is supported by an affidavit of Sister Cicily A. Chiramal, Social, 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. After 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 24th June 2020.
4. The Adoption Committee, in its meeting held on 8th August 2020, has approved the proposal of Mr.Nana Sampat Ulare and Mrs. Pratibha Nana Ulare, the prospective adoptive parents to adopt the child. The Committee found that the prospective adoptive parents are motivated and suitable to adopt the child.
5. The child study and medical examination reports reveal that the child is developmentally normal. 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 marriage of the prospective adoptive parents was solemnized on 9th May 2003. The prospective adoptive parents have no biological issue. It seems that the prime motivation for adoption is to have a child and complete the family. The medical practitioners have certified the fitness of the prospective adoptive parents. Their HIV tests are negative.
7. The home study evaluates the prospective adoptive parents

favourably. The report, *inter-alia*, records that the prospective adoptive parents have a strong marital bond and a mature understanding. They are emotionally very strong. They have the potential to take good care of the child and ensure the child's bright future. The home study thus strongly recommends the case of the prospective adoptive parents for adoption.

8. Mr. Nana Ulare, the prospective adoptive father, is running a Clinical Laboratory and Collection Centre and also works as LIC Agent. The copies of the income tax returns for the assessment years 2018-2019, 2019-2020, and 2020-2021 are placed on record. The income tax returns substantiate the claim of the prospective father. Mrs. Pratibha, the prospective adoptive mother is a homemaker. The financial condition of the prospective adoptive parents appears to be reasonably stable.

9. The prospective adoptive parents seem to be motivated by the action of another adoptive couple Mr. and Mrs. Bagul. The decision of the prospective adoptive parents to adopt the child seems to have been well received by their family and friends. Mr. Vilas Sampat Jadhav and Mrs. Mangala Vilas Jadhav, nephew and niece of the prospective adoptive father Mr. Nana Ulare, 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 especially 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 of the considered view 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 :

ORDER

(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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