

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

INDIAN ADOPTION PETITION NO.02 OF 2021
IN
JUDGES ORDER NO.07 OF 2021

Family Service Centre

...Petitioner/
Applicant

vs.

Dr. Srinivasa Jayachandra

...Prospective Adoptive Parents

Mr. Rakesh Kapoor, for the Petitioner

Mr. O. Hareendran, representative of I.C.S.W. present

Mr. Arun Kesarkar, 2nd Master present.

CORAM : N. J. JAMADAR, J.

DATE : FEBRUARY 03, 2021

(IN CHAMBER)

P.C.:

. 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 Family Service Centre. The Petitioner seeks an order permitting adoption of a male child born 20th October, 2019, entrusted to its custody by order dated 25th November, 2019 by the Child Welfare Committee, Mumbai City II. The Petition is supported by an affidavit of Ms. Indira Ullas, the programme officer/ authorized signatory of the Petitioner.

2. Perused the report of Mr. O. Hareendran, Scrutiny Officer of Indian Council of Social Welfare. The minor is a surrendered child. After an enquiry envisaged by section 38 of the Act, 2015, the Child Welfare Committee has declared the child legally free for adoption by order dated 14th February, 2020. The Adoption Committee in its meeting held on 29th July, 2020 has approved the proposal of the prospective adoptive single parent Dr. Srinivasa Jayachandra to adopt the child. The Committee found that the prospective parent is suitable to adopt the male child.

3. The child study report and the medical report indicate that the child's growth and development is appropriate for his age. The child is developmentally normal. His HIV test report is "Non Reactive". The prospective adoptive parent has perused and understood contents of the medical examination report and has shown the willingness to accept the child as adoptive child.

4. The prospective adoptive parent is a Doctor by profession. He is currently serving as a part time Professor in Physiology with Zydus Medical College and Hospital, Dahod, Gujrat. The certificate dated 20th March, 2020 issued by the Dean of the

college indicates that the prospective father is employed in that capacity since 6th December, 2017. The prospective father is certified to be clinically normal and physically and mentally fit to adopt the child by the medical practitioner. His HIV test report is “Non Reactive”.

5. The prospective father claims to have worked in several parts of India and abroad. He is staying with his parents. He is bachelor. The prime motivation seems to be to provide a happy home to an impoverished child.

6. The prospective father has placed on record a salary statement issued by Zydus Medical College and Hospital and the income tax returns for the assessment year 2017-18, 2018-19 and 2019-20. The C.A. has certified that the net worth of the prospective parent is Rs. 53,13,702/-. The prospective father appears to be financially stable and secure. He seems to be well placed in life.

7. The home study report strongly recommends the prospective adoptive father for adoption. It, inter alia, records that the prospective adoptive father's parents and sister are very friendly

and well cultured. The decision of the prospective parent has the support and encouragement of his immediate family members. The prospective parent and his immediate family members are capable of giving a very good education as well better future to the child.

8. The post Adoption visit report dated 28th January, 2021 is tendered today for the perusal of the Court. It indicates that the child is very attached to the prospective father. The needs of the child are well taken care of by the prospective father. All the family members of the prospective parents are very happy to spend time with the child and child is accepted by all the family members.

9. The parents of the prospective adoptive father seem to have supported the decision of the prospective father. The mother of the prospective father has furnished an undertaking for alternate child care. Mrs. Savitha Narayan and Mr. K.S. Narayan, the sister and brother in law of the prospective father have furnished an undertaking to look after, maintain and educate the child to the best of their ability in an unforeseen eventuality.

10. In the backdrop of the aforesaid material, especially the home study report, the situation in life of the prospective father, education and professional background, the level of motivation and the support of the immediate family members to the decision of the prospective father to adopt the child, I am impelled to hold that the prospective adoptive father is physically fit, financially sound, mentally alert and highly motivated to adopt the child. He has the potential to provide a good upbringing to the child. Thus, the petition deserves to be allowed. 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.)