

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
AND
GENERAL AND INHERENT JURISDICTION
FOREIGN ADOPTION PETITION NO.24 OF 2021
ALONG WITH
JUDGE'S ORDER NO.135 OF 2021

Narsabai Mahil Mandal's Shishugruh

Through Namdev D. Rathod

.. Petitioner

And

Vinay Krishna Iyengar and

Sumathi Gopal Iyengar

.. Proposed Adopters

And

Maya Vinay Iyengar

.. Minor

Mr. Rakesh Kapoor for the Petitioner.

Mr. O. Hareendran, Scrutiny Officer of ICSW, is present.

Mr. Arun Kesarkar, 2nd Master, is present.

CORAM : A. K. MENON, J.

DATE : 16TH SEPTEMBER, 2021.

[THROUGH VIDEO CONFERENCE]

P.C. :

1. In this petition, filed under the Juvenile Justice (Care and Protection of Children) Act, 2015, the petitioner and the prospective adoptive parents seek directions permitting adoption of minor female child born on 3rd March 2018 known as Sonakshi. The biological mother relinquished the child in the presence of the Child Welfare Committee, Nanded on 7th March 2018 and the child was in the safe custody of the petitioner – a Child Welfare Organization, recognized by the State of Maharashtra and by the Central Adoption Resource Authority (**CARA**).

2. The prospective adoptive parents already have a biological child, however they are desirous of adopting Sonakshi, now to be renamed as Maya Vinay Iyengar. The child has special needs and the usual interaction between the prospective adoptive parents and the child has been restricted to online meetings. The prospective adoptive parents are employed in U.S. and appear to be well settled. They are aware that the the child has special needs and are desirous of ensuring that the minor gets all the attention and treatment that may be required.

3. The prospective adoptive parents were asked to join on video conference hearing today. The prospective adoptive parents have both confirmed their intention to proceed with the adoption, although they have been prevented by the reasons of the pandemic from coming to Mumbai at this stage and meeting the child. In these extra-ordinary circumstances, both the prospective adoptive parents intend to visit Nanded and comply with all the formalities, if so permitted, if an after this petition is allowed so as to go back to their country of resident with Maya. Specific reference is made to the special needs of the child. The medical examination report in Schedule-XIX has been signed by both the prospective adoptive parents. The prospective adoptive mother has today identified the critical areas where care would be required. They have both confirmed having executed the acceptance of the medical examination reports on 1st March 2020, which they both state have been duly notarized by the Notary Public at the time of execution on 4th March 2021.

4. Both the prospective adoptive parents today reiterated their desire to adopt Maya. They have been married since 23rd October 1998 and are desirous of adopting a child with special needs and to fulfill this desire, they have consented to adopting Maya. CARA has issued its No Objection Certificate on 8th June, 2021. The child's Home Study Report also appears in order. The Indian Council of Social Welfare (**ICSW**) has recommended adoption and I have heard Mr. Hareendran, the Scrutiny Officer of ICSW in that respect.

5. The medical reports of the prospective adoptive parents and their psychological evaluation is found satisfactory and their mental and emotional ability to adopt has been certified. Both the prospective adoptive parents have been recommended as capable of excellent parenting for the adoptive child. I have interacted with them today and find no reason to disagree with these recommendations. They have resolved to ensure that the child gets all the help required considering her special needs. The child's Home Study Report is in order and so are the medical reports of the prospective adoptive parents. Hence, I am inclined to allow this petition. The petition is accordingly allowed in terms of prayer clauses (a) to (e).

6. The Judge's Order is signed separately.

(A. K. MENON, J.)

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