

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

**INDIAN ADOPTION PETITION NO. 5 OF 2021
WITH
JUDGE'S ORDER NO. 10 OF 2021
IN
INDIAN ADOPTION PETITION NO. 5 OF 2021**

Family Service Centre, Mumbai .. Petitioner

And

1. Satish Ramdas Kotian

2. Chetna Satish Kotian .. 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 : 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 Family Service Centre, Mumbai, a specialized adoption agency. The petitioner seeks an order permitting adoption of a female child born on 24th November 2019, and entrusted to its custody by an order dated 3rd December 2019 by the Child Welfare Committee, Mumbai City-II. The petition is supported by an affidavit of Mrs. Indira Ullas, Programme Officer and Authorized Signatory 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 14th February 2020.
4. The Adoption Committee, in its meeting held on 22nd September 2020, has approved the proposal of the prospective adoptive parents, Mr. Satish Ramdas Kotian and Mrs. Chetna Satish Kotian to adopt the child.
5. The child study and medical examination reports of the child reveal that the child is developmentally normal and achieved the goals commensurate to her age. 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.
6. The marriage of the prospective adoptive parents was solemnized on 7th February 2010. They have no biological issue. The inability to conceive on account of medical issues seems to have motivated the prospective adoptive parents to adopt the child. The medical practitioners have certified the fitness of the prospective adoptive parents. Their HIV tests are reported to be non-reactive.
7. Mr. Satish Kotian, the prospective adoptive father is in the business

of Real Estate Agency. He has placed on record the income tax returns for the the assessment years 2018-2019, 2019-2020, and 2020-2021. For the assessment year 2020-21, the business income is shown as Rs.3,01,408/-. Mrs.Chetna, the prospective adoptive mother, is employed with BA Continuum India Private Limited, Mumbai as Team Developer. The salary slip for the month of August 2020 indicates that her total earning was Rs. 42,329/-. Mrs. Chetana has also placed on record the income tax returns for the years 2018-19, 2019-20 and 2020-21. A certificate issued by HSGH & Co., Chartered Accounts, showing the statements of liabilities and assets of Mr. Satish Kotian and Mrs. Chetna Kotian is also placed on record. The documents reveal that the prospective adoptive parents are financially stable and secure.

8. The home study report reveals that the prospective adoptive parents are well prepared for adoption. They are motivated and guided by an adoptive family in their neighbourhood. They have full support of their respective families, siblings and close friends. Thus, the home study recommends the case of the prospective adoptive parents for adoption.

9. Mr. Rajshekaran Rajan Veeraputhra and Mrs. Gayatri Rajshekaran Veeraputhra, sister and brother-in-law of Mr. Satish Kotian, the prospective adoptive father, have furnished an undertaking to look after, maintain and educate the child in an unforeseen eventuality.

10. On balance, it appears 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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