

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
AND
GENERAL AND INHERENT JURISDICTION
FOREIGN ADOPTION PETITION NO.25 OF 2021
ALONG WITH
JUDGE'S ORDER NO.139 OF 2021

Jeevan Asha Charitable Trust, Nashik	.. Petitioner
And	
Merwin Savio Aruja and	
Mary Lovely Aruja	.. Proposed Adopters
And	
Anna Josephine Preity Aruja	.. Minor

Mr. Rakesh K.L. Kapoor for the Petitioner.
Mr. O. Hareendran, Scrutiny Officer of ICSW, is present.
Mr. A.J. Kesarkar, Chamber Registrar, is present.

CORAM : A. K. MENON, J.
DATE : 16TH SEPTEMBER, 2021.
[THROUGH VIDEO CONFERENCE]

P.C. :

1. By this petition, filed under Section 59(7) of the Juvenile Justice (Care and Protection of Children) Act, 2015 (*"Juvenile Justice Act"*), the petitioner – Jeevan Asha Charitable Trust seeks adoption of minor female child (i) declaring the co-petitioners Merwin Savio Aruja and Mary Lovely Aruja, both nationals of New Zealand, as the adoptive parents of the minor female child Anna; (ii) for leave to change the name of the child; (iii) for permission to

apply for birth certificate and; (iv) for consequential reliefs of removing the child from the jurisdiction of this court and to accompany the Proposed Adoptive parents to the New Zealand, where the proposed adoptive parents are gainfully employed.

2. The Child Welfare Committee has, on 3rd December 2020, declared the child legally free for adoption. The Bal Kalyan Samitee, Parbhani has certified that the minor was found abandoned and has also certified the circumstances under which the minor was handed over to Asha Shishugriha, Parbhani. The Programme Coordinator of the petitioner has sworn the relevant undertaking-cum-affidavit on 30th July 2021 pursuant to a resolution passed in its favour by Asha Shishugriha, Parbhani.

3. The couple have been married for 16 years but have no biological issues. Their medical reports are on records so is the income certificate issued by the employers. Their employment is also confirmed by their employers. The income documents are on record. Assets of the couple have also been disclosed. A Home Study Report issued by the Ministry for Children, New Zealand, has extensively considered the ability of the couple to adopt the minor child and have assessed their suitability positively. Thus, the overall analysis is positive. The psychological reports of both adoptive parents are also found to be in order. They are both positive in recommendations. Risk to an adoptive child and the care of the prospective adoptive parents being negligible, adoption placement has been approved by the New Zealand

Central Authority. Police verification by local authority of New Zealand is also on record. Child Study Report has been perused and the couple have declared willingness to adopt and accept the child as their own.

4. At the request of the court, the couple have appeared on video conference today. The child is with them under foster care and the family unitedly was seen to be happy. The child also displayed positive disposition in their care.

5. Accordingly, I have no hesitation in allowing this petition. The petition is made absolute in terms of prayer clauses (a) to (e).

6. The Judge's Order is signed separately.

(A. K. MENON, J.)

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signed by
RAJESHWARI
RAMESH
PILLAI
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