

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

JUDGE'S ORDER NO. 144 OF 2021
IN
FOREIGN ADOPTION PETITION NO. 27 OF 2021

Jeevan Asha Charitable Trust, Nashik ... Petitioner
Sanchalit Asha Shishugriha, Parbhani

vs.

Shawn Kirtland Waller and ... Proposed Adopters
Lauren Elizabeth Waller

Ms. Rakesh K. L. Kapoor for the Petitioner.

Mr. O. Hareendran Nambiar for ICSW is present.

Mr. A.J. Kesarkar, 2nd Master is present.

CORAM : A. K. MENON, J.

DATED : 23rd SEPTEMBER, 2021

P.C. :

1. The petitioners Jeevan Asha Charitable Trust and the co-petitioners Shawn Kirtland Waller and Lauren Elizabeth Waller being prospective adoptive parents seek permission to adopt a minor female child Arti and for consequential relief of change of name from Arti to Jubilee Arti Elizabeth Waller, leave to remove the minor from

jurisdiction of this Court and take the minor with them to the USA or elsewhere to their place of residence in future.

2. The minor was born on 5th October, 2016 and was surrendered by the biological parents before the Child Welfare Committee, Parbhani on 4th July, 2017 and was in the Custody of Jeevan Asha Charitable Trust Nashik, Parbhani. Child has been declared legally free for adoption on 27th September, 2017. CARA has issued their no objection certificate on 5th July, 2021.

3. The prospective adoptive parents are American Nationals and have been married for six years and have no biological children. Both are gainfully employed. Income documents have been placed on record. Home study report has been conducted by Nighlight Christian Adoptions, Florida, USA. The report found the prospective adoptive parents suitable for taking a child in adoption.

4. Psychological reports and police clearances have also been filed as part of the petition and there are letters of recommendation from psychologist which indicate that there is no instability in the psychological health of the prospective adoptive parents and their ability to provide a safe and loving environment for the child. Child

study report is on record and notes the child qualities and development assessment. The medical report of the child indicates that there may be conditions that might require medical attention and treatment and the prospective adoptive parents have expressed their willingness to do all that is necessary in the interest of the child. My attention has been drawn to the fact that they have comfortable residential accommodation and they have declared that they do not have biological children. They were always desirous of growing the family through adoption.

5. In conclusion having heard Mr. Kapoor in support of the petition and having perused the facts supported by documents I find that this is a petition that deserves to be allowed and I have no hesitation in allowing this application. Accordingly, I pass the following order :

- (i) Petition is allowed in terms of prayer clause (a) to (e) both inclusive.
- (ii) Undertakings are accepted.
- (iii) The child shall not be offered for further adoption.
- (iv) Judge's order is signed separately.

(A. K.MENON, J.)