

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

INDIAN ADOPTION PETITION NO.77 OF 2021

ALONG WITH

JUDGE'S ORDER NO.162 OF 2021

Bal Anand,

Worldchildren Welfare Trust India .. Petitioner

Vs.

Nilesh Nitin Madkikar and Anr. .. Co-Petitioners/Adoptive Parents

And

Shravan @ Vedaant .. Minor

Mr. Sameer Kashiram Sawant for the Petitioner.

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

Mr. Dilip R. Talekar, Chamber Registrar, is present.

CORAM : A. K. MENON, J.

DATE : 7TH OCTOBER, 2021.

P.C. :

1. By this petition, filed under Section 58(3) of the Juvenile Justice (Care and Protection of Children) Act, 2015 and Regulation 12(2) of the Adoption Regulations, 2017, the petitioner seeks appointment of the co-petitioners as adoptive parents of minor male child Shravan and legal custody of the petitioner, which is a child welfare organization. The minor was abandoned

and is said to be of 14 months of age. The petitioner intends to give the child in adoption to the prospective adoptive parents. The minor's case was placed before the Child Welfare Committee on 15th June 2020 and the child has been declared legally free for adoption under Section 38 of the Juvenile Justice Act.

2. The prospective adoptive parents have been taking care of the minor since 12th May 2021 as their own child and the child is stated to be adapting well in the new environment. The prospective adoptive parents were married earlier, but were without biological children. Both of them have been divorced and re-married. The prospective adoptive father is a Surgeon and the mother runs a home based business. They have been motivated to adopt a child and are said to be fully aware of the obligation. Joint consent affidavit of the prospective adoptive parents and child care arrangements are on record. Pre-Adoption Foster Care Undertaking is also annexed to the petition. The income tax records and bank statements are placed on file. There is an undertaking executed by the sister and brother-in-law of the prospective adoptive father that the child will be looked after, maintained and educated in the event of any unforeseen eventuality. Home Study Report appears to be satisfactory. Medical reports of the prospective adoptive parents are also found to be satisfactory. Child Study Report and medical reports of the minor seem to be acceptable.

3. In the circumstances, having heard learned counsel for the petitioner, I am inclined to allow this petition. Accordingly, I pass the following order :-

- (i) Petition is allowed in terms of prayer clauses (a), (b), (c) and (d).
- (ii) The prospective adoptive parents shall invest a sum of Rs.1,50,000/- in the name of the child in LIC's Single Endowment Plan No.917 for 18 years. No loan shall be taken on the policy. The petitioner shall file evidence of this fact having been communicated to the LIC in the registry.
- (iii) Undertakings are accepted
- (iv) Judge's Order is signed separately.

(A. K. MENON, J.)