

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

JUDGE'S ORDER NO. 167 OF 2021
IN
INDIAN ADOPTION PETITION NO. 69 OF 2021

M.S.W.C. Asha Sadan Balgruh ... Petitioner

and

Dhavalkumar Pravinchandra Shah ... Proposed Adopters

Dimple Dhavalkumar Shah

Ms. Dipal Mehta 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. This petition filed under section 58(3) of the Juvenile Justice (Care & Protection of Children) Act seeks appointment of Dhavalkumar Pravinchandra Shah and Dimple Dhavalkumar Shah co-petitioners as adoptive parents of female minor child Pournima now named as Siya Dhavalkumar Shah. The minor is presently in the care of Asha Sadan

Balgruh, Umerkhadi, Mumbai. The petitioners have sought to remove the child from the jurisdiction of the court to reside with them, change the name of the child and for consequential reliefs. To make application for birth certificate and pass port of the minor.

2. The Maharashtra State Women's Council Adoption Group ("M.S.W.C") has issued the necessary circular on 12th July, 2021. Motivational letter on behalf of the co-petitioners is on record. They have also filed medical reports of the prospective adoptive parents which are found to be satisfactory. The prospective adoptive parents have filed their declaration of consent and willingness to adopt which is dated 21st July, 2021.

3. The prospective adoptive father is seen to be employed with a pharmaceutical company and income particulars have been provided including copies of income tax return acknowledgments up to date. Statements of emoluments are on record and child care arrangement also reveals that the mother of the prospective adoptive mother will also be available to take care of the minor child.

4. At the hearing today learned counsel for the petitioner has submitted that the prospective adoptive mother has resigned from the

employment in order to take care of the child. The Social workers report is seen to be positive and the prospective adoptive parents are recommended for adoption. In view thereof having considered the child study report and medical examination report and having heard Ms. Mehta in support 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) Co-petitioners shall invest a sum of Rs. 2,00,000/- in the name of the child in LIC's Single Endowment Plan No.917. 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) Accordingly, Judges order is signed separately.
- (v) Petition is disposed in terms of the above.

(A. K.MENON, J.)