

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

INDIAN ADOPTION PETITION NO.82 OF 2021

ALONG WITH
JUDGE'S ORDER NO.170 OF 2021

Vatsalya Trust, Mumbai	.. Petitioner–Applicant
Sandipkumar Naginbhai Patel	
Ridhhiben Sandipkumar Patel	.. Co–Petitioner/Adoptive Parent
Anita @ Tiya Sandipkumar Patel	.. Minor

Ms. Sangeeta Nagpal 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 : 25TH NOVEMBER, 2021.

P.C. :

1. The petitioner, a child welfare organization and specialized adoption agency, proposes to give in adoption a minor girl-child Anita born on 28th October 2019. The prospective adoptive parents are Indian citizens, aged about 38 and 34 years respectively and have been married since May, 2007, but are unable to have their own biological child. They have since been motivated to adopt.
2. The prospective adoptive father works as a Reclaimer Operator in

Bahrain and is said to have earned monthly salary of about Rs.1.45 lakhs. The prospective adoptive mother works with the Surat Municipal Corporation as a Primary Health Worker. Her appointment letter, income details and income tax returns are also matter of record. Both of them are gainfully employed, of financially sound standing and are socially and emotionally said to be well placed for taking the minor in adoption. Prospective adoptive parents have been counselled with the circumstances surrounding adoption. They have provided necessary undertaking in the form of a Pre-adoption Foster Care Affidavit and they are aware that in the initial stages of their bringing up the child will be monitored and that they have undertaken to bring up the child as their own. A child care arrangement has been put in place by virtue of undertaking by prospective adoptive mother's mother. The child security undertaking is also been filed by the prospective adoptive mother's brother and sister-in-law, who are residents of Navsari in Gujarat. Child Study Report and Home Study Report are found to be satisfactory. The prospective adoptive parents are also desirous of investing a lumpsum amount in the name of the minor for the future welfare of the child. Their medical reports are completely satisfied.

3. At the hearing today, a further affidavit has been produced before me dated 14th November 2021, which sets out the current salary earned by the prospective adoptive father as well as an employment certificate, which is issued on 7th November 2021. The prospective adoptive father has also filed copies of his bank statement with the State Bank of India as of 9th November

2021. The bank account shows a steady flow of income and expenditure and there is a substantial credit to the account from time to time.

4. Thus, I have no hesitation in allowing this petition. Accordingly, I pass the following order :-

- (i) Petition is made absolute in terms of prayer clauses (a) to (e).
- (ii) Prospective adoptive parents shall invest a sum of Rs.5,00,000/- 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.
- (v) Petition is disposed in the above terms.

(A. K. MENON, J.)