

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

**INDIAN ADOPTION PETITION NO.86 OF 2021
WITH
JUDGE'S ORDER NO.174 OF 2021**

M.S.W.C. Adoption Group	...	Petitioner
v/s.		
Vasudev H.R. & Anr.	...	Proposed Adopters
And		
Sapana @ Samanvitha H.V. Dev	...	Minor

Mr. Dipal Sanjanwala Mehta for the Petitioner.
Mr. O. Hareendran Nambiar for ICSW is present.
Mr. D. R. Talekar, 1st Master is present.

**CORAM : A. K. MENON, J.
DATED : 14TH OCTOBER, 2021**

P.C. :

1. This petition is filed under section 58(3) of the Juvenile Justice (Care & Protection of Children) Act, 2015 by Asha Sadan Balgruh, a recognised child care institution and specialised adoption agency under the provisions of the Juvenile Justice (Care & Protection of Children) Act, 2015 seeking appointment of the co-petitioners as adoptive parents of minor girl child Sapana now aged 4 who is in the care and protection of Asha Sadan Balgruh.

2. The child has been declared legally free for adoption on 30th April, 2021 and the prospective adoptive parents have expressed their willingness

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to adopt the child. The biological mother of the child had surrendered the child before the Child Welfare Committee on 24th February, 2021. The child was at that stage seen online by the prospective adoptive parents but has been with the prospective adoptive parents under foster care since then.

3. The prospective adoptive parents have been married since 1995. They do not have any biological children and have expressed their willingness and desire to adopt. The medical reports of both the prospective adoptive parents is found to be satisfactory. The prospective adoptive father is self employed running his own marketing agency and the prospective adoptive mother helps in maintaining accounts of the proprietary business. Income tax records are on record which reflect income said to be sufficient to maintain the family including the requirement of looking after the minor that they propose to adopt.

4. Family background has been verified and the home study reports of the prospective adoptive parents are found to be satisfactory. The prospective adoptive parents have support of their parents. Positive reference letters are also on record which are issued by friends and neighbours. The child study report also records social data and medical examination report also seems acceptable. Overall observation is that the child is healthy normal child no special needs are detected and the social workers from the area of residence of the prospective adoptive children have agreed to carry out home visits to assess any post adoptive care that may be required. Dr. Bhoopalam who is

a cousin brother of the prospective adoptive mother has also confirmed that in the event of unforeseen events the child will be looked after by him.

5. Considering the overall factual aspects and willingness of the prospective adoptive parents, I have also inquired of the financial status. Ms. Mehta learned counsel for the applicant has produced documentation evidencing the prospective adoptive father is entitled to an ancestral plot of land apart from being owner of a house which is subject to a housing loan. Overall they appear to be financially stable.

6. Having heard Ms. Mehta in support and having perused the record, I have no hesitation in allowing this application. Accordingly I pass the following order

- (i) Petition is made absolute in terms of prayer clause (a) to (e) both inclusive.
- (ii) Co-petitioners shall invest a sum of Rs. 2,50,000/- 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) Accordingly, Judges order is signed separately.
- (v) Petition is disposed in terms of the above.

(A. K. MENON, J.)