

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

INDIAN ADOPTION PETITION NO.92 OF 2021
WITH
JUDGE'S ORDER NO.188 OF 2021

Shraddhanand Mahilashram .. Petitioner

v/s.

Franz Arnold Dsouza .. Prospective Adoptive Parents

And

Abigail Zoe Dsouza .. Minor

Mr. Rakesh Kapoor for the petitioner.

Mr. O Hareendran, Security Office of ICSW –present.

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

CORAM : A. K. MENON, J.

DATED : 2ND DECEMBER, 2021

P.C. :

1. The petitioner is said to be a Government Recognized Social Welfare Organization and Specialized Adoption Agency under the Juvenile Justice Act. It proposes to grant an adoption of minor girl

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child 'Rachna' born on 19th September, 2020. The child has been in the care of the petitioners and is presently under foster care with the Prospective Adoptive Parents on execution of a undertaking in affidavit that they will allow the social worker to visit the home to ascertain progress of the child as required under the Act.

2. The Prospective Adoptive Parents are residents of Mumbai. They are registered with the Child Adoption Resource Information and Guidance System (CARIGS) and as directed by CARA they have been found to be eligible by the Adoption Committee. They have agreed to comply with all requirements in law. The Child Welfare Committee has declared the minor child legally free for adoption on 16th December, 2020 in the interest of the rehabilitation of the child.

3. For the last 5 months, the child is said to be with the Prospective Adoptive Parents and they have developed a good bond. The prospective adoptive father is 36 years of age and the mother 39. They have been married for 10 years and they have no children of their own. The records pertaining to their marriage are annexed

to the petition. They have consented to take a adoption the minor and have executed an undertaking to that effect. The prospective adoptive father is employed as a Group Manager with a private limited company earning a respectable salary. The prospective mother is also employed with the same company as a Senior Group Manager since 2003. Both Prospective Adoptive Parents have placed on record their salary slips and income tax returns. The Child Study Report and medical reports are both found to be acceptable.

4. Friends have supported the adoption and have confirmed that they are financially and emotionally stable. The assessment of the social worker reveals a satisfactory result. Undertakings for Guardianship has been filed by the maternal cousin of the prospective adoptive mother. They have undertaken to look after and educate the child in any unforeseen eventuality. The Child Study Report is found to be satisfactory.
5. Having considered the application. I am of the view that the prospective adoptive mother would have to devote considerable time to the upbringing of the child specially being a working

mother and shall file an undertaking to that effect setting out the manner in which she proposes to devote time to the upbringing of the child.

6. Accordingly I pass the following order;

(i) Petition is made absolute in terms of prayer clauses (a) to (d) both inclusive.

(ii) Co-petitioners shall invest a sum of Rs.1,00,000/- 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) Undertaking be placed on record within a period of 2 weeks from the date of uploading this order.

(iv) Accordingly, Judges order is signed separately.

(v) Petition is disposed in terms of the above.

(A. K. MENON, J.)