

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

INDIAN ADOPTION PETITION NO.96 OF 2021

ALONG WITH
JUDGE'S ORDER NO.193 OF 2021

Indian Association for Promotion of
Adoption and Child Welfare (IAPA) .. Petitioner

Sunil C. Nathani
Savita Sunil Nathani .. Co-Petitioners/Adoptive Parents

Sharvil @ Atharva Sunil Nathani .. Minor

Mr. Pushkar M. Nagpurkar 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 non-profit non-government organization, working for the benefit of deprived children is stated to be a recognized specialized adoption agency under Section 65 of the Juvenile Justice (Care and Protection of Children) Act, 2015. Sharvil, a male minor child, born on 25th December 2020 has since been in the care of the petitioner institution and now intends to be offered in adoption to the prospective adoptive parents.

2. The prospective adoptive parents are Indian citizens, residing in Thane, Maharashtra and had been registered with the Child Adoption Resource Information and Guidance System. The minor is therefore proposed to be placed in adoption with the prospective adoptive parents Sunil Nathani and Savita Nathani, who are 41 and 42 years old respectively. They have been married since May, 2007 and they have no children. Apparently, there are no prospects of having biological children due to medical reasons and they now proposed to take in adoption the minor Sharvil to be their own. The Child Welfare Committee has passed the necessary orders for admission in safe custody and the minor has been declared legally free for adoption on 21st June 2021.

3. The prospective adoptive parents have executed motivation letter and are happy to adopt minor Sharvil. The prospective adoptive father works as an Operations Head with a private limited company and the prospective adoptive mother works as Chief Executive Officer at the Cancer Aid and Research Foundation, Mumbai. Both the prospective adoptive parents are gainfully employed and are financially capable of adoption. Child Security Undertaking has also been filed by the prospective adoptive father's cousin brother and his wife. Assessment Report is found to be affirmative. Pre-adoption Foster Care Undertaking is also on record and the prospective adoptive parents proposed to name the child "Atharva Sunil Nathani".

4. Having perused the record and having heard learned counsel appearing on behalf of the petitioners, I have no hesitation in allowing this petition. Accordingly, I pass the following order :-

- (i) Petition is allowed in terms of prayer clauses (a), (b), (b-i) and (c).
- (ii) Prospective adoptive parents shall invest a sum of Rs.2,00,000/- 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.)