

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

FOREIGN ADOPTION PETITION NO.31 OF 2021
WITH
JUDGE'S ORDER NO. 206 OF 2021**

Shri Ganesh Shikshan Prasarak Mandal's

ShishuGruh

.. Petitioner

And

Tim Kumar Mallick & Anr.

.. Proposed Adoptive Parents

Mr. Swapnil Surendra Dhage for the petitioner.

Mr. O Harendran, 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 a Child Care Institution operating in Latur District of Maharashtra. It proposes to give in adoption female child Bhumika born on 8th March, 2019 to the Prospective Adoptive Parents who are residents of Germany. The Child

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Welfare Committee, Latur has declared the minor legally free for adoption on 6th November, 2020. Copy of the order is on record. The petitioner has also filed an undertaking by way of an affidavit setting out that the process of adoption undertaken by it has been authorized by the central agency, CARA, and that it would comply with all requirements. It is supported the adoption. CARA has also issued its no objection certificate on 27th July, 2021 in accordance with the Regulations and the Hague Convention since this is a foreign adoption.

2. The Prospective Adoptive Parents are aged 45 and 43 years. The couple have been married for 16 years they have one biological son aged about 11. The couple intend to adopt a girl child of upto 4 years of age. They have found suitable to adopt psychologically and medically. They are self-employed and income documents are on record. They have residential property which appears to be set out in the photographs. The minor child has also been found to be healthy and normal.
3. The Proposed Adoptive Parents have provided their undertaking to look after the child and ensure its welfare. There are undertakings of the Central Authority Adoption Agency LVR State

Youth Welfare Office, Rhineland, Germany. This is a local authority which is seen to have issued an undertaking that in the event of a family disorder the Central Adoption Agency of Rhineland State Youth Welfare Office, as a responsible international placement office in Germany will take care of the child. The child is identified in the report as Bhumika, female born on 8th March, 2019 in Latur India. Thus, overall it appears to be a case which is acceptable. The medical certificates of the Prospective Adoptive Parents and undertakings of the relatives who are the cousin brother of the prospective adoptive father and cousin sister of the prospective adoptive mother have all supported the proposal of adoption. The undertakings have been certified by Notary Public as of 15th July, 2021 and having heard the learned counsel for the applicant, and having considered the records and the facts as set out therein, I have no hesitation in allowing this petition.

4. Accordingly I pass the following order

- (i) Petition is made absolute in terms of prayer clause (a) to (d) both inclusive.
- (ii) Undertakings are accepted.

(iii) Accordingly, Judges order is signed separately. It is, however, clarified that the the child shall not be offered for further adoption under any circumstances and all reports shall be filed as directed.

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

(A. K. MENON, J.)