



O.P.No.636 of 2021

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**V.PARTHIBAN, J.**

This Original Petition has been filed by the petitioners under Section 56(2) of the Juvenile Justice (Care and Protection of Children) Act 2015, (2 of 2016) read with Regulations 51 and 55 of the Adoption Regulations to appoint the petitioners 1 and 2 as parents of the person of Minor female child Sreejita Pal, whose date of birth is 01.10.2007, and to grant leave to them to take physical custody of the child for being adopted, fostered, brought up and maintained by the petitioners 1 and 2, and for a direction to issue Birth Certificate in respect of the child and the Regional Passport Office concerned may be directed to issue passport for the said child within 10 days from the date of application as per sub-regulations(4) of the regulations 18 and regulation 38 of CARA Regulations.

2.The case of the petitioners in brief is as follows:-

(a) The minor female child *viz.*, Sreejita Pal, born on 01.10.2007 was abandoned by her biological parents whose whereabouts were not known and the child was under the care and custody of the Indian Society for



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Sponsorship and Adoption, a Social and Child Welfare Institution, Kolkata

and from whom, the child was given in adoption to Mr.Sujit Pal and Mrs.

Aparajita Pal who resided at No.B501, Green Valley Housing Complex, Kaikhali Chiriamore, Rajarhat Gopalpur (M), North 24 Parganas, Kolkata 700 136. Unfortunately, the adoptive parents of the minor female child viz, Mr.Sujit Pal and Mrs. Aparajita Pal died due to Covid-19 on 15.05.2021 and 09.05.2021 respectively. Now, the minor female child is living with the petitioners who are the maternal aunt and uncle of the minor child. The child was produced before the CWC and got their consent for the proposed adoption by the petitioners.

(b) The petitioners are residing at No.11 D, Ramaniyam Isha Apartments, No.11 OMR, Thoraipakkam, Chennai 600 097. The petitioners have one female child. Due to the death of the adopted parents of the minor child, they have decided and wanted to adopt the minor child, so that, they can give better future to the minor child.

(c) The first petitioner is working for a French Company called Legrand. Presently, he is based in Chennai as the CEO of Numeric, which is one of the brands of Legrand in India and drawing Rs.1,88,81,480/- P.A.



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The second petitioner is a housewife. The financial position of the couple is good.

(d) The petitioners believe that they have much to offer a child, including their home, love and ability to financially care for a child.

(e) The petitioners have filed their declaration of willingness to adopt the child.

(f) The proposed adoption of the child by the petitioners would be in the paramount welfare of the child and the petitioners would treat the child as their own biological child with all rights and responsibilities.

(g) No guardian of person or the property of the said minor female child has been appointed by any Court and that no application has been made any time to this Court or in any other Court with regard to the adoption of the said minor child. The minor female child is the only legal heir of her deceased parents who has an apartment at B501, Green Valley Housing Complex, Kaikhali Chiriamore, Rajarhat Gopalpur (M), North 24 Parganas, Kolkata 700 136 and she is entitled to her father's employment benefits for which the petitioners undertake to be a guardian for the properties of the minor till she attains majority.



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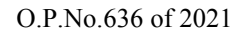
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(h) The conditions laid down in Section 61(1) of the Juvenile Justice Act have been complied with in this adoption case and the petitioners undertake to do the necessary submissions to CARA as post adoption procedure and complete all legal formalities.

(i) The petitioners may be permitted to take the minor child outside India when required, as the first petitioner is working for a French Company called Legrand and he may posted outside India.

3.Heard the learned counsel appearing for the petitioners. There are no respondents in this petition.

4.The 1<sup>st</sup> petitioner examined himself as P.W.1. and he filed exhibits Ex.P1 to Ex.P15. Ex.P1 is the photocopy of the Hindu Marriage Register for the proof of adoptive parents. Ex.P2 is the photocopy of the birth certificate of Sreejita Pal, who was born on 01.10.2007. Ex.P3 are the photocopies of the passports of the deceased parents. Ex.P4 are the photocopies of the death certificates of the deceased parents. Ex.P5 are the



5. The materials placed before this Court would show that the petitioners are entitled to adopt the minor child, namely, Sreejita Pal. Therefore, this Court is satisfied that it will be most beneficial to the minor child, if the petitioners are appointed as the adoptive parents.



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WEB COPY 6. Accordingly, this Original Petition is ordered as prayed for subject

to the following conditions:-

- i. The petitioners are hereby appointed as adoptive parents of the minor female child Sreejita Pal, whose photograph is duly attested and annexed hereto, as per Section 56(2) of the Juvenile Justice Act (Act 2 of 2016).
- ii. The minor child Sreejita Pal, is entitled to the legal status of a biological child with all the rights of succession and inheritance.
- iii. The petitioners are permitted to take physical custody of the minor Sreejita Pal, for being brought up and maintained by them.
- iv. The petitioners are also permitted to take the minor female child outside India.
- v. The Birth Certificate of the minor Sreejita Pal, may be issued with the petitioners as parents along with the



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name of the child within five working days from the date of application, as per the provisions of the Regulation 36 of the Regulations of CARA, by the concerned authorities.

vi. The Regional Passport Office concerned is directed to issue necessary passport for the said child within 10 days from the date of application, as per sub-regulations (4) of the regulations 18 and regulation 38 of CARA Regulations and travel documents to facilitate the travel.

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**28.10.2021**



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