

**In The High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 597 of 2025

**Gouri Murmu
-versus
The State Adoption Resource Agency & Ors.**

**Mr. Kamalesh Bhattacharya, Sr. Adv.
Ms. Rama Halder.
Ms. Diya Dutta.
...For the Petitioner.**

**Mr. Rabiul Islam.
Mr. Susanta Kumar Santra.
...For the private respondent no. 6.**

**Mr. Naba Kumar Das.
Mr. Kaustav Bhattacharya.
... For the State.**

**Mr. Siddhartha Bhattacharya.
Ms. Piyas Chowdhury.
... for the Union of India.**

1. The petitioner claims to be a single woman and she intends to adopt the son of the private respondent no. 6, who will attain his age of majority on 23rd January, 2025. According to the petitioner, she is looking after the child from 2014 who lost his mother.
2. The private respondent, i.e. the father of the child is not inclined to lead a family life and intends to renounce the society.
3. For adopting the child she filed an application for online registration in the portal of the Central Adoption Resource Authority maintained by the Ministry of Women & Child Development,

Government of India sometimes in January 2025 and submits that the said application is yet to be uploaded in the portal of the authority.

4. The petitioner apprehends that if steps are not taken by the authority within the shortest possible time, the child will attain majority and thereafter it will not be possible for the petitioner to proceed for adoption.
5. Learned advocate representing the father admits that he intends to surrender his child and he is inclined spiritually. He does not have any objection if the petitioner adopts his son.
6. Learned advocate representing the State respondents and the Central Adoption Resource Authority submits that the application made by the petitioner is not in accordance with the legal provisions. The father of the child is yet to surrender his son.
7. It has contended that the procedures relating to surrendering the child according to the Adoption Regulations published under the Juvenile Justice (Care and Protection) Act, 2015, have not been followed. The child does not fulfill the eligibility criteria for adoption.
8. Upon hearing the parties and upon perusal of the materials on record, it appears that though the petitioner claims that she is taking care of the child for more than last ten years but she did not take any steps to formally adopt the child. Now when the child is about to attain the age of majority, she has rushed to the Court under Article 226 of the Constitution of India praying for a direction upon the Central Adoption Resource Agency and State Adoption Resource Agency to permit her to take adoption of the child. There is no explanation with regard to the delay in taking steps for adoption.

9. The Court is not inclined to exercise jurisdiction in this matter. As it has been submitted that an online application for registration before the Central Adoption Resource Agency has been filed, the authority shall take steps in accordance with law, if at all the application has been filed following the legal provision.
10. The writ petition stands disposed of.
11. Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)