

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

INDIAN ADOPTION PETITION NO. 15 OF 2025
WITH
JUDGE'S ORDER NO. 23 OF 2025
IN
INDIAN ADOPTION PETITION NO. 15 OF 2025**

VATSALYA TRUST, MUMBAI

)... PETITIONER

AND

MR.AMOL JAMBURAO KHADBADE

)...PROSPECTIVE

MRS.AMRUTA DHAGE W/O.AMOL KHADBADE

)ADOPTIVE PARENTS

Ms.Aarti Kulkarni, Advocate for the Petitioner.

Mr.O. Hareendran, Scrutiny officer – ICSW, present.

Ms.Lilavati Belvalkar, Social Worker, Vatsalya Trust, present.

Mr.Amol Jamburao Khadbade, Adoptive father present.

Mrs.Amruta Dhage, Adoptive mother present.

Kumar Suyog, Minor, present.

Mr. Dilip Gurav, Chamber Registrar, present.

CORAM : ABHAY AHUJA, J.

DATE : 27th MARCH 2025

**(IN CAMERA IN VIDEO
CONFERENCE ROOM)**

P.C. :

1. This Indian Adoption Petition by the Petitioner seeks an order permitting adoption of a male minor named Suyog born on 30th August 2023 by the Prospective Adoptive Parents. The male minor child was

surrendered by his biological mother before the Child Welfare Committee (“CWC”), Mumbai Suburban District on 8th September 2023 and the child was admitted to the Petitioner Institution Vatsalya Trust, Mumbai on the same day as per the order of the CWC dated 12th September 2023 under the provisions of Juvenile Justice (Care and Protection of Children) Act, 2015 (the “said Act”).

2. After making due inquiry and after considering various circumstances and pursuant to powers under Section 38 of the said Act, the CWC, Mankhurd, District Mumbai, declared Suyog “Legally Free for Adoption” on 13th June 2024.

3. The Prospective Adoptive Parents viz. Mr.Amol Jamburao Khadbade and Mrs.Amruta Dhage (the “PAPs”) are Indian nationals, residing at Pune, Maharashtra, aged about 36 and 34 years respectively. They have been married for the past 7 years (25th November 2017) with no biological children. The Prospective Adoptive father is working as a Senior Software Engineer with Hexaware Technologies Limited, Pune, since 9th February 2024 and his monthly (June 2024) gross salary is 94,692/-. The Prospective Adoptive mother is working as a Senior Engineer-Quality Engineer with Altimetrik India Private Limited, Pune, since July 2022 and her monthly (June 2024) gross salary is Rs.1,33,993/-.

4. Mr.O. Hareendran, Scrutiny Officer, Indian Council of Social Welfare (“ICSW”), present at today’s hearing has tendered the representation dated 24th March 2025 of ICSW which contains a chronology of all the approvals and reports necessary for adoption with a request to consider the same before passing the final order. The said representation is taken on record and marked “X” for the purposes of identification. As per the Representation from the ICSW the Petitioner Institution’s recognition to place children in adoption is valid for a period up to 5th July 2025.

5. Ms.Aarti Kulkarni, learned Counsel appearing for the Petitioner has taken me through the various approvals, reports, affidavits, declarations and undertakings as under :

Sr. No.	Date	Report/Affidavit/Declaration/Undertaking	Exhibit No.
1	19-07-2024	Copy of the decision of the Adoption Committee	A
2	13-06-2024	Child Welfare Committee Orders	B
3		Proposed Adopters Proof of Age-Secondary School Certificate, Marriage Certificate, Medical Certificate, HIV Reports and Motivation Letter of Adoptive Parents	C
4		Proof Residence PAN Card and Electricity Bill	D
5	15-07-2024 15-07-2024	Consent, Willingness and undertaking by the Prospective Adoptive Parents, Foster Care Agreement	E

6		Form No.16, Form No.12BA, Pay Slip of the 1 st Prospective Adoptive Parent and Indian Income Tax Return Acknowledgment, Pay Slip of 2 nd Prospective Adoptive Parent and Supportive financial documents	F
7	27-02-2021 14-02-2024 16-07-2024	Home Study Report, Reference Letters, Family Photograph and Undertaking by Relatives	G
8	29-07-2024 29-07-2024 12-06-2024 15-07-2024 --/11-2024 11-05-2024 16-07-2024	Child Study Report, Medical Report, Name Change Letter, HIV Report and Post Card size photograph of minor, Affidavit for Child Care Plan, Photograph of the minor, Applicant's Consent Affidavit Resolution Letter, Copy of Certificate of recognition to do in Country Adoption and Follow-up by Agency	H

6. I have heard Ms.Aarti Kulkarni and also perused the various approvals, reports, affidavits, declarations and undertakings annexed to the Petition as well as the representation of the ICSW and note that the Proposed Adoptive Parents are physically, mentally, financially, socially and emotionally suitable to adopt Suyog. The Home study report of the Specialized Adoption Agency “K. M. Mahila Seva Gram”, Pune, has also found the Prospective Adoptive Parents suitable for adopting a healthy male child between the age group of 0 to 2 years. The updated Home Study/Counselling Report and the Social Worker's overall impression indicates that the Proposed Adoptive Parents are mentally and emotionally ready to take care of the child. The Pre-adoption follow up report of the Specialized Adoption Agency “K. M. Mahila Seva Gram”, Pune, reveals that the child has developed a very strong

bonding with his family and neighbours and is growing up well and has achieved all the developmental milestones that are expected of his age group.

7. It is also noted that Suyog is a normal child with no developmental or milestone delays. The overall observation of the child reveals the child's development is a dynamic process and may show variation with time. That at present, up to now, his overall mental and physical development is within normal limits.

8. I have also interacted with the Prospective Adoptive Parents today and note their eagerness to adopt Suyog who has been under their foster care since 29th July 2024 without any complaints and are present with the adoptive child today and visual observation reveals a loving bond between them. It has been submitted by the PAPs that parents of both the Proposed Adoptive Parents stay with them and would assist them in taking care of the child. Also the sister of the Proposed Adoptive mother would be assisting in taking care of the child. The Proposed Adoptive Parents are currently working from home so that they can be with the child and take care of him.

9. The Prospective Adoptive Parents also desire that the name of minor 'Suyog' be changed to 'Yug Amol Khadbade'.

10. I am satisfied that it would be in Suyog's interest and welfare that he is adopted by the Proposed Adoptive Parents as the adoption will secure his upbringing and future.

11. It does not appear to me that this is a case where any consideration has been given or agreed to be given in consideration for the adoption nor any material has been placed before me or brought to my notice to hold otherwise.

12. This Court has jurisdiction to consider and dispose of the present Petition in view of the order dated 10th January 2023 of this Court in the case of ***Nisha Pradeep Pandya alias Nisha Amit Gor and Anr. Vs. Union of India and Ors¹***, concerning challenge raised to the Juvenile Justice (Care and Protection of Children) Amendment Act, 2021.

13. Ergo, the Petition is allowed in terms of prayer Clauses (a) to (d) which read thus :

1 Writ Petition No.1085/2023 (Writ Petition (L) No.32065 of 2022)

- (a) That the Prospective Adoptive Parents be given the said child in adoption and be declared as parents and has all parental legal rights, privileges and responsibilities over the said minor.
- (b) That the Prospective Adoptive Parents may be granted leave to remove the said minor from the jurisdiction of this Hon'ble Court and to take the said minor out of the jurisdiction of this Hon'ble Court whenever required.
- (c) That the concerned Municipal Authority/Birth Certificate issuing Authority may be directed to issue Birth Certificate in the name of the said minor Yug Amol Khadbade born on 30th August 2023 and stating that thereon that the Prospective Adoptive Parents as the Parents of the said minor.
- (d) That the Prospective Adoptive Parents be allowed to change the name of the minor from Suyog to Yug Amol Khadbade born on 30th August 2023.

14. The Judge's order is accepted and signed separately. There is an undertaking of the Adoptive Parents in the Judge's order to invest a sum of Rs.1,00,000/- in the name of the adopted child. They have also undertaken not to withdraw this investment till the adopted child

attains majority and to hand over the investment receipt to the adopted child on his attaining majority.

15. The undertakings in the Petition and the Judge's Order are accepted as undertakings to this Court.

16. The Indian Adoption Petition accordingly stands allowed and is disposed as above.

(ABHAY AHUJA, J.)

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