

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

INDIAN ADOPTION PETITION NO. 17 OF 2025
WITH
JUDGE'S ORDER NO. 26 OF 2025
IN
INDIAN ADOPTION PETITION NO. 17 OF 2025**

Vatsalya Trust **... Petitioner**
And
Mr.Kapilnath Rameshrao Kalode and
Mrs. Ruchika Kapilnath Kalode **...Prospective Adoptive Parents**

Ms. Arti Kulkarni, Advocate for the Petitioner.
Mr. O. Hareendran, Scrutiny officer – ICSW, present.
Mr. Kapilnath Rameshrao Kalode, Adoptive father.
Mrs. Ruchika Kapilnath Kalode, Adoptive mother.
Ridhima, Minor, present.
Ms.Nanda Sangode, Social Worker-Vatsalya Trust, present.
Mr. Dilip Gurav, Chamber Registrar, present.

**CORAM : ABHAY AHUJA, J.
DATE : 27th MARCH, 2025
(IN CAMERA IN VIDEO CONFERENCE ROOM)**

PC. :

1. This Indian Adoption Petition by the Petitioner seeks an order permitting adoption of a female minor named Vrunda born on 25th September, 2023, by the Prospective Adoptive Parents.

2. The female minor child is a surrendered child and was admitted to the Petitioner institution as per order dated 3rd October, 2023 of the Child Welfare Committee (CWC), Mankhurd, Mumbai for primary care and protection and the child's safe custody under the provisions of Juvenile Justice (Care and Protection of Children) Act, 2015 (the "said Act").

3. After making due inquiry and after considering various circumstances and pursuant to powers under Section 38 of the said Act, the CWC, Mankhurd, Dist. Mumbai declared "Legally Free for Adoption" on 21st December, 2023.

4. The Prospective Adoptive Parents viz. Mr.Kapilnath Ramesh Rao Kalode and Mrs. Ruchika Kapilnath Kalode are Indian nationals, residing at Nagpur, Maharashtra, aged respectively about 38 and 34 years. They have been married for the past 8 years (7th July, 2016) with no biological children. The Prospective Adoptive father is working as a Deputy Chief Executive Officer (Panchayat) in Zilla Parishad, Nagpur since 3rd October, 2013 and his monthly (December-2023) net salary is Rs. 2,72,533/-. The Prospective Adoptive mother is working as a Junior Medical Coder with Avontix Global Private Limited, since 27th

March, 2023 and her monthly (February-2024) gross salary is Rs. 14,103/-.

5. Mr. Hareendran, Scrutiny Officer, Indian Council of Social Welfare (“ICSW”), present at today’s hearing has tendered the representation dated 26th 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.

6. Mrs. 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	15-03-2024	Copy of the decision of the Adoption Committee	A
2	21-12-2023	Child Welfare Committee Orders	B
3	--	Proposed Adopters Proof of Age-Central Board Education Certificate, Marriage Certificate, Medical Certificate, HIV Reports and Motivation Letter of Adoptive Parents	C
4	--	Proof Residence PAN Card and Electricity Bill	D
5	06-03-2024	Consent, Willingness and undertaking by the	E

		Prospective Adoptive Parents and Foster Care Agreement	
6	2021-22 2022-23 2023-24 29-02-24 Dec-2023 27-03-23	Indian Income Tax Return Acknowledgment of 1 st Prospective Adoptive Parent Certificate of Employment of 1 st Adoptive Parent Pay Slip of 2 nd Prospective Adoptive Parent Appointment Letter of 2 nd Adoptive Parent and Supportive financial documents	F
7	29-05-2022 27-07-2024 02-03-2024 05-03-2024 --	Home Study Report, Updated Home Study Report Reference Letters, Undertaking by Relatives Family Photograph	G
8	22-03-2024 22-03-2024 --- 06-02-2024 -- 06-03-2024 06-02-2025 23-11-2024 06-07-2020 21-08-2024	Child Study Report, Medical Report, Name Change Letter, HIV Report, Post Card size Photograph of the minor, Child Care Affidavit, Applicant's Consent Affidavit, Resolution Letter, copy of certificate of recognition to in Country Adoption and Undertaking by Agency and Follow up Report	H

7. I have heard Mrs. Kulkarni, learned Counsel for the Petitioner and Mr. Hareendran, Scrutiny Officer, ICSW 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 Vrunda. The Home study report of the Specialized Adoption Agency "Mahila Vikas Mandal", Chandrapur has also found the Prospective Adoptive Parents suitable for adopting a healthy female child between the age group of 2 months to 2

years. The Updated Home Study Report/Post Placement Report and the Social Worker's overall impression indicates the Proposed Adoptive parents feel extremely happy to become parents of Vrunda. The minor child has adjusted with all the family members very well. The Pre-adoption follow up report of the Specialized Adoption Agency "World Children Welfare Trust India", Bal Ashraya, Nagpur, reveals that the minor child's development has been on the good side since she started living with the Proposed Adoptive Parents, who are very happy with the minor child and so is the minor child.

8. It is also noted that Vrunda is a normal child with no developmental milestone delays. The overall observation of the child reveals that up to now her overall mental and physical development is within normal limits.

9. I have also interacted with the Prospective Adoptive Parents today and note their eagerness to adopt Vrunda, who has been under their foster care since 6th March, 2024 without any complaints and they are present with the adoptive child today.

10. The Prospective Adoptive Parents also desire that the name of minor 'Vrunda' be changed to 'Ridhima Ruchika Kapilnath Kalode'.

11. I am satisfied that it would be in Vrunda's interest and welfare that she is adopted by the Proposed Adoptive Parents as the adoption will secure her upbringing and future.

12. 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.

13. 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 Ors*¹, concerning challenge raised to the Juvenile Justice (Care and Protection of Children) Amendment Act, 2021.

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

“(a) That the Prospective Adoptive Parents be given the said child in Adoption and be declared as parents with 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.

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(c) That the concerned Municipal Authority/Birth Certificate issuing Authority may be directed to issue Birth Certificate in the name of the said minor Ridhima Ruchika Kapilnath Kalode born on 25/09/2023 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 Vrunda to “Ridhima Ruchika Kapilnath Kalode” born on 25/09/2023.”

15. 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.

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

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

(ABHAY AHUJA, J.)

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