

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

**INDIAN ADOPTION PETITION NO. 27 OF 2025
WITH
JUDGE'S ORDER NO. 42 OF 2025
IN
INDIAN ADOPTION PETITION NO. 27 OF 2025**

VATSALYA TRUST, MUMBAI	)...PETITIONER
AND	
1) MR. PRASANT RAMAKRISHNAN	)
S/o.RAMAKRISHNAN CHEMMARATH	)...PROPOSED
2) MRS.DEBOLINA GHOSH	) ADOPTIVE
W/o. PRASANT RAMAKRISHNAN	) PARENTS

Ms. Aarti Kulkarni, Advocate for the Petitioner.

Mr.O. Hareendran, Scrutiny Officer, ICSW present.

Ms.Anupama Sagun Dhuri, Social Worker, Vatsalya Trust, Mumbai, present.

Mr.Prasant Ramakrishnan Chemmarath, Adoptive Father, Mrs.Debolina Ghosh, Adoptive Mother and Minor Inaaya present.

Mr.Dilip Gurav, Chamber Registrar, present.

CORAM : ABHAY AHUJA, J.

DATE : 24th APRIL 2025

P.C. :

1. This Indian Adoption Petition by the Petitioner seeks an order permitting adoption of a female minor named Surabhi born on 11th August 2023, by the Proposed Adoptive Parents.

2. Surabhi was surrendered by her biological mother before the Child Welfare Committee (CWC), Mumbai Suburban District on 22nd August 2023 and the CWC, Mankhurd, Mumbai admitted her to the Petitioner Institution by order of the same date under the provisions of Juvenile Justice (Care and Protection of Children) Act, 2015 (the “said Act”) for primary care and protection and the child’s safe custody.

3. 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 Surabhi “Legally Free for Adoption” on 30th May 2024.

4. The Prospective Adoptive Parents viz. Mr.Prasant Ramakrishnan and Mrs.Debolina Ghosh (the “PAPs”) are Indian nationals, residing at Bangalore, Karnataka, aged about 38 and 40 years respectively. They have been married for the past 12 years (30th June 2013) with no biological children. The PAPs have their own well-furnished house which is spacious with a separate play area and accessible park near to their residence and are leading a sophisticated life. The Prospective Adoptive father is working as a Senior Manager with TVS

Motor Company Limited, Bangalore, since 22nd November 2021 and his monthly (June 2024) gross salary is Rs.1,72,212.92. The Prospective Adoptive mother is working as an Assistant Manager with KPMG Global Services Private Limited, Bangalore, since 8th December 2014 and her monthly (June 2024) gross salary is Rs.1,69,203/-.

5. Mr.O.Hareendran, Scrutiny Officer, Indian Council of Social Welfare (“ICSW”), present at today’s hearing has tendered the representation dated 17th April 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. The recognition of the Petitioner Institution is valid up to 5th July 2025.

6. 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	30-05-2024	Child Welfare Committee Orders	B
3	16-10-2001 -- 19-07-2013 04-11-2023 14-07-2024 --	Proposed Adopters Proof of Age Birth Certificate of Proposed Adoptive Father West Bengal Board of Secondary Education Certificate Marriage Certificate Medical Certificate of Proposed Adoptive Parents HIV Reports of Proposed Adoptive Parents Motivation Letter of Adoptive Parents.	C
4	-- 12-12-2024 to 12-01-2025	Proof Residence PAN Card of Proposed Adoptive Parents Electricity Bill	D
5	10-07-2024 24-07-2024	Consent, Willingness and undertaking by the Proposed Adoptive Parents Foster Care Agreement	E
6	2021-2022 2022-2023 2023-2024 2024-2025 June 2024	Indian Income Tax Return Acknowledgments of Proposed Adoptive Parents Pay Slip of Proposed Adoptive Parents	F
7	05-12-2020 21-11-2023 -- -- 11-07-2024	Home Study Reports Reference Letters Family Photograph Undertaking by Relatives	G
8	24-07-2024 24-07-2024 28-08-2023 22-07-2024 11-07-2024 06-03-2025 11-05-2024 06-07-2020 03-05-2024 13-07-2024	Child Study Report Medical Report of the Child Name Change Letter of Child HIV Report of Child Post Card Size Photograph of the minor Child Care Affidavit Applicant's Consent Affidavit Resolution Letter Copy of Certificate of recognition to do in Country Adoption Undertaking by Agency	H
9	06-03-2025	Affidavit in Support by the Petitioner	

7. I have heard Ms.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 PAPs are physically fit, mentally alert, financially sound and psychologically and emotionally suitable to adopt Surabhi. Both the PAPs have given their consent.

8. The Home study report of the Specialized Adoption Agency “Shishu Mandir Children’s Home” Bangalore has also found the PAPs suitable for adopting a normal child between the age group of 0 to 1 year. The updated Home Study Report indicates that the PAPs have expressed their genuine desire for adoption. The social worker had recommended adoption of a baby as per their wish observing that the PAPs are economically stable and medically fit to adopt. The PAPs got married on 30th June 2013. They have a stable and happy married life since 2013 and are very sociable and genuinely express their desire of having a child to fulfill their parenthood. They are emotionally well balanced to take care of an adoptive child. The PAPs would be availing maternity/paternity leave, work from home option along with sabbatical, if required and will also be taking help from their parents. That, the grandparents are keen, enthusiastic and eagerly waiting for the

arrival of the child and both the families are positive towards the adoption and are ready to extend their support. The social worker feels that the PAPs possess all the qualities that will make them amazing parents and the child would be cared for and loved immensely along with being instilled with strong family values and ethics. Thereafter, Surabhi was placed in foster care of the PAPs since 24th July 2024.

9. The Post-placement report dated 30th January 2025 of the Specialized Adoption Agency “Shishu Mandir Children’s Home” Bangalore, reveals that the child, who is now 1 year 8 months old, looks healthy and active and the PAPs have been her to doctor for regular checkup. The report indicates that the child has a healthy appetite and enjoys a variety of foods suitable to her age and follows a regular meal schedule and is gradually exploring new tastes and textures. Also, the child’s sleep routine is well established with consistent nap and bedtime schedules ensuring she gets adequate rest. Thus, her daily routine including meals, sleep and playtime has been smoothly integrated in the family’s lifestyle. That, after placement of the child with the PAPs, the child looks happy, friendly, active and lively and has got emotionally well connected to the parents and her grandparents. The PAPs were delighted to inform that the child has good progress in her emotional, physical and

social development which was evident in her responsive interactions, displaying a growing capacity for expressing joy, curiosity and contentment. It is observed from the report that the child is thriving, demonstrating age appropriate motor skills and reaching developmental milestones with enthusiasm and engages positively and displays an emerging interest in her surroundings.

10. The report further reveals that the child has truly won the hearts of everyone in the family and their world revolves around her. That, the child has very well adjusted and accepted the parents and shares a strong bond with her parents and enjoys spending time with grandparents who stay with the PAPs. Also, the child is being sent to a play school for just a couple of hours for few days so that she mingles with other kids and develops a social bond. Thus, from the report of the social worker it appears that the child is blessed with loving, caring and dedicated parents who are looking after her well, keeping her happy, providing all that she needs and feel blessed to have her in their lives.

11. It is also noted that the medical report of the PAPs indicate that they are physically and mentally fit to adopt a child and are free from any disabilities and deformities. The medical report of Surabhi indicates that she is a normal child and in the overall observation of the child it is stated

that the child's development is a dynamic process and may show variation with time and at present, up to now, her overall mental and physical development is within normal limits.

12. I have also interacted with the PAPs today and note their eagerness to adopt Surabhi, who has been in their foster care since 24th July 2024 without any complaints and they are present with the adoptive child today. It is observed that the child is very comfortable with the PAPs. The PAPs affection for the child also appears natural. Also, the Proposed Adoptive Mother mostly works from home and is required to go to office only once a week.

13. The child security undertaking has been given by the friends of the PAPs residing at Belladur, Karnataka undertaking to take care of the child Surabhi in case of any mishap to the PAPs. The child care plan by the Mother of the Proposed Adoptive Father stating that she would take care of the child when the PAPs are away from home for their respective jobs also appears satisfactory.

14. Ergo, I am satisfied that it would be in Surabhi's interest and welfare that she is adopted by the PAPs as the adoption will secure her upbringing and future.

15. 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.

16. 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.

17. The PAPs also desire that the name of minor ‘Surabhi’ be changed to ‘Inaaya Ghosh Prasant’.

18. 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 and has all parental legal rights, privileges and responsibilities over the said minor.

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(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 Inaaya Ghosh Prasant born on 11/08/2023 and stating that there on 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 Surabhi to "Inaaya Ghosh Prasant" born on 11/08/2023."

19. 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.2,00,000/- 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 her attaining majority.

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

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

(ABHAY AHUJA, J.)

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