

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY AND ORIGINAL CIVIL JURISDICTION
AND

IN ITS GENERAL AND INHERENT JURISDICTION

INDIAN ADOPTION PETITION NO. 33 OF 2025

WITH

JUDGE'S ORDER NO. 46 OF 2025

IN

INDIAN ADOPTION PETITION NO. 33 OF 2025

VATSALYA TRUST, MUMBAI

)...PETITIONER

AND

MR.VENKATASUBRAMANIAN M. SUNDAR)...PROPOSED

MRS. APOORVA A. DESHPANDE

) ADOPTIVE PARENTS

Ms.Sangeeta Nagpal, Advocate for the Petitioner.

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

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

Mr.Venkatasubramanian M. Sundar, Adoptive Father and Mrs.Apoorva
A. Deshpande, Adoptive Mother and Minor Grantha @ Dhriti present.

Mr.Dilip S. Gurav, Chamber Registrar, present.

CORAM : ABHAY AHUJA, J.

DATE : 8th MAY 2025

(In Camera in mini conference room)

PC. :

1. This Indian Adoption Petition by the Petitioner seeks an order
permitting adoption of a female minor named Grantha born on 25th
January 2024, by the Proposed Adoptive Parents.

2. Grantha was surrendered by her biological mother before the Child Welfare Committee (CWC), Mumbai Suburban District on 30th January 2024 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 Grantha “Legally Free for Adoption” on 2nd April 2024.

4. The Prospective Adoptive Parents viz. Mr.Venkatasubramanian M. Sundar and Mrs.Apoorva A. Deshpande (the “PAPs”) are Indian nationals, residing at Bangalore, Karnataka, both aged about 37 years respectively. They have been married for the past 11 years (23rd April 2014) with no biological children. The PAPs are staying in a rented, furnished 2BHK with a separate play area and accessible park, having hospitals and schools close by. The Prospective Adoptive Father was employed with Mercedes Benz RD India Private Limited, Bangalore,

as a Program Manager, which job he left on 10th January 2025 and is currently self-employed working as an independent Consultant for Embedded Software Development from 1st February 2025 and plans to establish his own company in the next few months. The Prospective Adoptive father's monthly income as a self-employed person is Rs.3,84,000/-. The Prospective Adoptive Mother was employed as a Full time Psychologist at Aster CMI Hospital, Bengaluru from April 2021 to October 2023 but now has left her job and visits hospital only once a week depending on the requirements of the cases and not on a salary basis as she wants to give personal attention to the child, who has been in foster care since 3rd August 2024.

5. Mr.O.Hareendran, Scrutiny Officer, Indian Council of Social Welfare ("ICSW"), present at today's hearing has tendered the representation dated 28th 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.

6. Ms.Sangeeta Nagpal, 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	-- -- 07-05-2014 27-07-2024 26-07-2024 26-07-2024 --	Proposed Adopters Proof of Age Statement of Marks of Prospective Adoptive Parents PAN Cards of Proposed Adoptive Parents Marriage Certificate of Proposed Adoptive Parents Character Reference Certificate of Proposed Adoptive Parents Medical Certificates of Proposed Adoptive Parents Extract of Passport of Proposed Adoptive Father in respect of accommodation	A
2	08-05-2014 20-01-2025 June 2024 03-04-2025 2022-2023 2023-2024 2024-2025 04-03-2025 25-07-2024 25-07-2024	Employment letter of Prospective Adoptive Father Resignation letter Salary Slip of Prospective Adoptive Father Service Contract Indian Income Tax Return Acknowledgments of Proposed Adoptive Father Employment letter of Prospective Adoptive Mother SBI Bank Statement Statement showing investments in Mutual Funds	B
3	17-01-2021 03-01-2024 -- 27-07-2024	Home Study Report Home Study Report Photograph of Proposed Adoptive Parents Motivation Letter of Proposed Adoptive Parents	C
4	27-07-2024	Undertaking of Brother of Proposed Adoptive Father	D
5	15-06-2024 12-07-2024 15-06-2024 09-08-2024 06-07-2020	Child Study Report Medical Report of the Child HIV Report of the Child Minutes of Adoption Committee Recognition Certificate of Petitioner Institute	E

6	30-01-2024 02-04-2024	Order of Child Welfare Committee Order declaring legally free for Adoption	F
7	03-08-2024	Pre-adoption Foster Care Agreement	G
8	03-08-2024 -- --	Applicant's Consent Affidavit Name Change Letter of Child Post Card Size Photograph of the minor	H
9	08-01-2025	Undertaking of Shishu Mandir, Children's Home, Bangalore along with the Affidavit / Declaration of Adoptive Parents and Affidavit in Support of Social Worker of Vatsalya Trust, the Petitioner	I

7. I have heard Ms.Nagpal, 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 Grantha. Both the PAPs have given their consent.

8. The Home study report of the Specialized Adoption Agency "Shishu Mandir Children's Home" has found the PAPs suitable for adopting a baby girl/boy between the age group of 0 to 2 years. The PAPs got married on 23rd April 2014 and want to adopt a child because it would give them an opportunity to share their virtues and values with a child. Therefore, when the PAPs could not have biological child, they thought of adoption and believe that they can provide a good

nurturing, holistic, loving environment to the child to develop in his or her journey. The PAPs want to be good parents and help nurture, take care of and support a soul to the best of their abilities and that it would not matter to them whether the child is biological or adopted.

9. The updated report of the social worker indicates the PAPs have a stable and happy married life since 2014. That, the PAPs are young and energetic couple and are very sociable and have genuinely expressed their desire of having a child to fulfill their parenthood. That, the PAPs are financially sound, enjoy good health and are emotionally well balanced to take care of an adoptive child. Also, the PAPs who are very keen, enthusiastic and eagerly waiting for their adoptive child are very sociable in their nature and have very cordial relationship with neighbours and the community at large. Observing and taking note of all above, the social worker has recommended the PAPs as most eligible couple to adopt a baby girl below two years.

10. It is observed from the report that the cousin of the Prospective Adoptive Father has already adopted two daughters and also one of their friends has recently received a adopted child. The PAPs are regularly in touch with them to get guidance and to understand their

experience and challenges as they witnessed the child's growth and assimilation into the family and the respective parents enjoying their parenting role.

11. The report indicates that the PAPs have complete and unconditional support from their parents who are very happy and excited about becoming grandparents and the child will be taken care of with unmatched love that only grandparents can give and that they are ready to support the PAPs and the child whenever needed and in whichever way. It is further stated that the child on coming into the family would be welcomed warmly by everyone in the family and would be showered with love and blessings from all the elders. The report states that the PAPs would work out in such a manner that one of them would always be physically present with the child and when that is not possible, they will leave the child at one of the grandparents' home. The Prospective Adoptive father has planned his work timings keeping in mind that he gets sufficient time to be with the child. Also the Prospective Adoptive mother would be doing minimal work as she has the option of doing online consultancy work so that she can physically be around the child until the child becomes comfortable.

12. Grantha was placed in foster care of the PAPs since 3rd August 2024. The Post-placement report dated 14th February 2025 of the Specialized Adoption Agency “Shishu Mandir Children’s Home”, Bangalore, reveals that the child looks happy, healthy, friendly, active and lively. That the overall development of the child appears to be on track of her age as she is thriving, demonstrating age appropriate motor skills and reaching developmental milestones with enthusiasm. Also her social development is noteworthy as she engages positively and displays an emerging interest in her surroundings and loves the presence of people around her. Also whenever she sees children, the child shows keen interest and points at them. The child is showing good progress in her emotional, physical and social development which is evident from her responsive interactions, displaying a growing capacity for expressing joy, curiosity and contentment. The child eats and sleeps well and follows a well planned schedule. It is observed that the child has adjusted to the new environment as well as the changed weather conditions of Bengaluru compared to Mumbai and has shown remarkable adaptability and seamless adjustment within the family since she was brought home to Bengaluru. The child’s transition into the new home has been characterized by a swift and smooth integration, showcasing her resilience to form strong bonds with the

family members by readily embracing the warmth and love provided by the adoptive family and her positive response has been evident in her daily interactions and engagements. The child has truly won the hearts of everyone in the family and their world revolves around her. The interactions of the child with all the family members reflects a secure and lovely bond, highlighting a positive and nurturing environment. The report indicates that the child is blessed with loving, caring and dedicated parents who keep her happy and provide all that she needs. The child has bonded very well with the entire family and they feel blessed to have her in their lives.

13. It is also noted that the medical reports of the PAPs indicate that they are free of any communicable and contagious disease or any physical or mental impairment. The PAPs are physically sound and mentally fit and are free from any disabilities and deformities and are fit to adopt a child. Grantha's medical report indicates that she is a normal child and 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.

14. I have also interacted with the PAPs today and note their eagerness to adopt Grantha, who has been in their foster care since 3rd August 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. The Prospective Adoptive father has planned his work timings keeping in mind that he gets sufficient time to be with the child. The Prospective Adoptive mother stays at home and does minimal work as she has the option of doing online consultancy work so that she can physically be around the child. Also the PAPs informed that they have worked out in such a manner that one of them would always be physically present with the child and when that is not possible, they would leave the child at one of the grandparents' home who stay close by and keep visiting their house. Additionally, the PAPs have also arranged for a day maid to help them.

15. The child security undertaking has been given by the Prospective Adoptive Father's brother and his wife (sister-in law) residing at Bengaluru undertaking to take care of the child Grantha in case of any mishap to the PAPs. As regards the child care plan, there is no child care plan as such, as it is submitted that the Prospective Adoptive Mother would remain at home and always be physically present with

the child and if and when it is not possible the PAPs would leave the child at one of the grandparents' home who stay close by and keep visiting their house.

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

17. 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.

18. 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.

19. The PAPs also desire that the name of minor 'Grantha' be changed to 'Dhriti A. Venkat'.

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

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

“(a) For adoption of the Proposed female minor baby Grantha @ Dhriti A. Venkat born on 25th January 2024 by Proposed Adopters under Juvenile Justice Act.

(b) For declaring the Proposed Adopters as Adoptive Parents of the said minor and shall have all parents rights, privileges and responsibilities over the said minor born on 25th January 2024.

(c) That the Proposed Adopters be granted permission to change the name of minor Grantha to Dhriti A. Venkat.

(d) That the concerned Municipal Authority/Birth Certificate issuing Authority may be directed to issue Birth Certificate in the name of the said minor Dhriti A. Venkat, born on 25th January 2024 and stating thereon that the Prospective Adoptive Parents as the Parents of the said minor.

(e) 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.

21. 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.3,00,000/- 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.

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

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

(ABHAY AHUJA, J.)

Privacy Warning : No part of this order shall be uploaded on any public domain or portal without this Court's express written permission.