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

INDIAN ADOPTION PETITION NO.58 OF 2025
WITH
JUDGE'S ORDER NO.83 OF 2025

Maharashtra State Women's Council ...Petitioner
Adoption Group, Mumbai

Versus

Mr. Sudhir Raghunah Jadhav and ...Co-Petitioners /
Mrs. Daksha Sudhir Jadhav Proposed Adopters

Ms.Dipal Sanjanwala Mehta, for the Petitioner.

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

Mr.Sudhir R. Jadhav – Adoptive Father and Mrs.Daksha Sudhir
Jadhav – Adoptive Mother a/w Kum.Siddhesh @ Raj present in
Chamber

Mr. D.S. Gurav, Chamber Registrar is present.

CORAM : FIRDOSH P. POONIWALLA, J.
DATE : 19th SEPTEMBER, 2025.

ORDER :

1. By this Indian Adoption Petition, the Petitioner and the
Proposed Adoptive Parents have sought adoption of the male minor
Siddhesh (“the said male minor”) born on 16th September, 2024.

2. The biological mother surrendered the said male minor

before the Child Welfare Committee (CWC), Mumbai – City I on 26/11/2024 and the child's safe custody was given to the Petitioner Institution on the same day as per the order of the said CWC dated 26/11/2024 under the provisions of Juvenile Justice (Care and Protection of Children) Act, 2015. The CWC safe custody order is on record at page No. 21 to the Petition.

3. After making due inquiry under section 38 of Juvenile Justice (Care and Protection of Children) Amendment Act, 2021, the Child Welfare Committee, Mumbai City-II declared the said male minor **“Legally Free for Adoption”** on **25/02/2025**. The Free for Adoption order is on record at page Nos. **23-25** to the Petition.

4. The Prospective Adoptive Parents are Indian nationals residing at Dombivli, Dist. Thane aged about 44 and 45 years respectively. They have been married for the past 18 years (07/06/2007) with no biological children.

5. The Motivation Letter of the prospective adoptive parents is on record at Page No. 28 to the Petition.

6. Affidavit by the Chief Functionary of the Specialized

Adoption Agency (Petitioner) in support of the adoption of the said male minor is on record at page Nos. 142-148 to the Petition.

7. The Minutes of Adoption Committee meeting held on 27/06/2025 is on record at page Nos. 18-20 to the Petition. It states that the Prospective Adoptive Parents are suitable to adopt male minor Siddhesh born on 16/09/2024.

8. The Medical report of the prospective adoptive parents dated 20/06/2025 is on record and it states that the health of the prospective adoptive parents does not disqualify them in parenting a child in anyway. The prospective adoptive mother is the case of Hypothyroidism and is on regular treatment for the same and is well controlled. Their HIV and HBsAg test reports certify the case as Non Reactive. These reports are on record at Page Nos. 31-51 to the Petition.

9. The Prospective Adoptive father is working as a Project Manager with Jumboking Foods Pvt. Ltd., Goregaon, Mumbai since 11/05/2021 and his monthly (June-2025) gross salary is Rs. 1,78,200/-. His Income Tax Returns, Pay Slips, Employment Offer Letter and Form No. 16 are on record at page Nos. 64-68 & 93-100 to

the Petition. The prospective adoptive mother is a Homemaker.

10. The proof of residence, copies of PAN card and other supportive financial documents are on record at page Nos. 29-30 & 69-92 to the Petition.

11. Childcare arrangement plan undertaking of prospective adoptive mother is on record at Page Nos. 101-103 to the Petition.

12. The Home Study Report Part I Self Assessment of the Prospective Adoptive Parents is on record at page Nos. 111-119 to the Petition.

13. The Home Study Report Part II: Assessment report of the Specialized Adoption Agency “Janani Ashish Charitable Trust”, Dombivli, Dist. Thane dated 15/10/2022 has found the prospective adoptive parents suitable for adopting a child. The said Home study report is on record at page Nos. 104-110 to the Petition.

14. The child security undertaking dated 09/07/2025 given by the prospective adoptive mother’s Sister residing at Vikhroli,

Mumbai to look after the said male minor in case of any mishap to the Prospective Adoptive Parents is on record at page Nos. 139-141 to the Petition.

15. The Pre-adoption foster care undertaking dated 09/07/2025 is on record at page Nos. 60-63 to the Petition.

16. The Joint Declaration of consent & willingness to adopt by the prospective adoptive parents is on record and it states that they are willing to be appointed and declared as the adoptive parents of the male minor Siddhesh, born on 16/09/2024. The prospective adoptive parents have further agreed and undertaken to the Petitioner institution and to the Hon'ble Court that they will not give the said child in further adoption to anyone residing in or outside India. The said declaration is on record at page Nos. 57-59 to the Petition.

17. The Medical Examination Report of the said male minor dated 11/02/2025 is on record at page Nos. 124-129 to the Petition and it states, "Health Status: Special Needs. Overall observation of the child: A normal, healthy infant. A small 1.50mm PFO detected". The prospective adoptive parents have countersigned the said

Medical Examination Report.

18. The Medical Examination Report dated 14/05/2025 at Part E Special Needs condition of child by the Department of Pediatrics Sir J. J. Group of Hospitals, Mumbai is on record at page Nos. 130-136 to the Petition and the report is certified that currently the said minor is not having a special needs category. The prospective adoptive parents have countersigned this report.

19. The HIV report of the said male minor dated 27/01/2025 certifies the case as Non Reactive. This report is on page No. 137 to the Petition.

20. The Post Card Size Photograph of the said male minor is on record at page No. 27 to the Petition.

21. As regards the change of name, the prospective adoptive parents desire that the male minor 'Siddhesh' be renamed as "Raj Sudhir Jadhav".

22. The undertaking dated 25/06/2025 given by the

Specialized Adoption Agency “Janani Ashish Charitable Trust”, Dombivli, Dist. Thane for furnishing post adoption follow-up reports is on record at page No. 138 to the Petition.

23. The Petitioner institution’s recognition from the Women & Child Development, Maharashtra State to place children in adoption is valid up to 30/09/2025.

24. Mr. O. Hareendran, the Scrutiny Officer, has tendered the Representation of the Indian Council of Social Welfare dated 30th July, 2025 which is taken on record and marked ‘X’ for identification.

25. Having considered the material on record as well as the Representation of the Scrutiny Officer marked ‘X’ for identification, I am of the view that it would be in the interest of the said male minor child that he is adopted by the Proposed Adopters.

26. It is relevant to note here that in the case of ***Nisha Pradeep Pandya @ Nisha Amit Gor and Anr. Vs. Union of India and Ors.***¹ concerning challenge raised to the Juvenile Justice (Care and

¹ W.P.(L) No.32065 of 2022

Protection of Children) Amendment Act, 2021, a Division Bench of this Court passed an interim order dated 10th January, 2023. The relevant portion of the said order of Division Bench reads as follows :

“8. In the meantime, there will be an ad-interim order only until the next date in terms of prayer clauses (d), (e) and (f) of the petition which reads as follows:

(d) Pending the final hearing and disposal of the present Petition, the Hon’ble Court may be pleased to stay the effect, implementation and purport of the letter dated 30th September, 2022 issued by Respondent No.2;

e) Pending the final hearing and disposal of the present Petition, the Hon’ble Court may be pleased to direct the Respondents not to transfer pending adoption matters before the District Magistrates for adjudication.

(f) Pending the final hearing and disposal of the present Petition, the Hon’ble Court may be pleased to direct the Hon’ble Courts to continue with the adjudication of the adoption matters that are pending on their record and file.

9. Additionally, the safer and more prudent course of action would be to allow all matters to be placed before the learned Single Judge of this Court who is assigned those matters. Those orders may be continued to be passed until the challenge is finally decided.”

27. Hence, it is clear that this Court can consider and dispose of the present Petition.

28. In these circumstances, the Petition is allowed in terms of prayer Clauses (a) to (d) of the Petition, which read thus:-

“(a) This Hon'ble Court may be pleased to appoint the Co-Petitioners, Sudhir Raghunath Jadhav and Daksha Sudhir Jadhav as the adoptive parents of the male minor, Siddhesh @Raj Sudhir Jadhav, in the care of the Maharashtra State Women's Council Adoption Group at Maharashtra State Women's Council Asha Sadan Balgruh, Asha Sadan Marg, Umerkhadi, Mumbai - 400 009,

b) That the Co-Petitioners be allowed to change the name of the minor from 'Siddhesh' to 'Raj Sudhir Jadhav,'

c) That the Co-Petitioners may be granted leave to remove the aforesaid child from the jurisdiction of this Hon'ble Court and to take the minor alongwith them, i.e. to the Co-Petitioners' family wherever they may reside or their work may require them to,

d) That the concerned Municipality / the Birth Certificate Issuing Authority may be directed to issue Birth Certificate for the said minor within five working days from the date of application of the Petitioner, as per the provisions of regulation 36 of the Adoption Regulations.”

29. There is an undertaking of the Adoptive Parents in the Judge's Order to invest Rs.2 lakhs in the name of the Adopted Child. They undertake not to withdraw this investment till the Adopted Child attains majority. The Adoptive Parents agree to handover the investment receipts to the Adopted Child on his becoming a major.

These undertakings are accepted as undertakings to this Court.

30. The Judge' Order is also accepted and signed separately.
31. Indian Adoption Petition is accordingly disposed of.
- There shall be no order as to costs.

[FIRDOSH P. POONIWALLA, J.]

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