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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.72 OF 2025
WITH
JUDGE'S ORDER NO.101 OF 2025**

Shraddhanand Mahilashram

...Petitioner

Versus

**Mr.Kaustubh Vijay Deodhar and Mrs.Kaveri
Manohar Sheode**

**...Proposed
Adopters**

Mr.Rakesh K.L.Kapoor i/b M/s.Rakesh K.L.Kapoor and Co., for the
Petitioner.

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

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

Mr.Kaustubh Vijay Deodhar – Adoptive Father, Mrs.Kaveri Manohar
Sheode – Adoptive Mother, Kum.Swara Kaustubh Deodhar – Minor
Female and Kum. Aseem Deodhar – Minor Son, present in Chamber

**CORAM : FIRDOSH P. POONIWALLA, J.
DATE : 3rd OCTOBER, 2025.**

ORDER :

1. By this Indian Adoption Petition, the Petitioner and the
Proposed Adoptive Parents have sought adoption of the female minor
Archana Mukesh Varma @ Swara Kaustubh Deodhar (“the said
female minor”) born on 30th March 2017.

2. The female minor Archana Mukesh Varma, born on 30/03/2017 was found abandoned by the Matunga Police Station on 24/03/2022 and produced before the Child Welfare Committee (CWC), Mumbai City-II and admitted to the Petitioner Institution on the same day for primary care and protection. On 25/03/2022, the said CWC recognized that admission vide their order dated 25/03/2022 under the provisions of Juvenile Justice (Care and Protection of Children) Act 2015. The Safe Custody order of the CWC is on record at page No. 24 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 female minor “Legally Free for Adoption” on 27/05/2024. The Free for adoption Certificate is on record at page No.22 to the Petition.

4. The Prospective Adoptive Parents are Indian nationals, residing at Mulund, Mumbai, aged about 39 and 40 years respectively. They have been married for the past 14 years (27/12/2010) with one biological son born at Virginia, USA on 13/09/2017. His birth certificate, Copy of O.C.I. Card, medical fitness

certificate and consent letter are on record at page Nos.28-32 to the Petition.

5. Motivation letter from the Prospective Adoptive Parents is on record at page No. 39 to the Petition.

6. Affidavit by the Chief Functionary of the Specialized Adoption Agency (Petitioner) in support of the adoption of the said female minor is on record at page Nos. 125-129 to the Petition.

7. The Minutes of Adoption Committee Meeting held on 26/03/2025 is on record at page Nos. 20-21 to the Petition. It states that the Prospective Adoptive Parents are suitable to adopt the said female minor.

8. The Medical Fitness Certificates dated 12/03/2025 of the prospective adoptive parents is on record and it states that they are physically, mentally and emotionally fit for adoption. Their HIV and HBsAg test reports certify the case as Non-Reactive. These reports are on record at page Nos.33-38 to the Petition.

9. The Prospective Adoptive Father is working as a Senior Director with FTI Consulting India Pvt. Ltd., Bandra, Mumbai since 01/06/2021 and his monthly (February-2025) gross salary is Rs. 3,96,675/-. His Employment Certificate, Pay Slips and Income Tax Returns are on record at Page No. 50-56 to the Petition.

10. The Prospective Adoptive Mother is working as a Data Spoke Manager with Pluxee India Private limited Andheri, Mumbai since May 2024 and her monthly (February-2025) gross salary is Rs. 3,31,123/-. Employment Certificate, and Pay Slips and Income Tax return are on record at Page No. 57-61 to the Petition.

11. Proof of Residence, Pan and Aadhar Card copies and Supportive Financial Documents are on record at page Nos. 40-44; 62-65 to the Petition.

12. The Childcare Arrangement statement of the prospective adoptive parents is on record at page No. 66 to the Petition.

13. The home study report Part I: Self-Assessment by the Prospective Adoptive Parents is on record at page Nos. 67-84 to the

Petition.

14. The home study report part II: Assessment reports dated 28/09/2021 and 26/10/2024 by the Social Worker of Specialized Adoption Agency “Vatsalya Trust” Kanjur Marg, Mumbai have found the prospective adoptive parents suitable for adopting a child. These reports are on record at page Nos. 85-97 to the Petition.

15. The child security undertaking dated 15/03/2025 of the Prospective Adoptive father’s sister and brother-in-law residing at Mulund, Mumbai to look after the said female minor in case of any mishap to the Prospective Adoptive Parents is on record at page Nos. 110-111 to the Petition.

16. Medical Examination Report dated 30/12/2024 of the said female minor is on record at page Nos. 114-121 to the Petition and it states that the health status of the said female minor is normal. She is an active child and studying in in 1st Standard. She is average in studies. She plays with other children and communicates appropriately. The Prospective Adoptive Parents have countersigned the said report.

17. The Psycho-Eductional Evaluation of the said female minor dated 02/08/2025 is on record at page Nos. 121-A-121-C to the Petition and it states that the said female minor's IQ is 100 and is in the Average range of Intelligence.

18. The HIV report of the said female minor dated 27/07/2023 certifies the case as Non-Reactive. The said report is on record at page No. 123 to the Petition.

19. The Post Card Size Photograph of the said female minor is on record at page No. 124 to the Petition.

20. The Declaration of consent and undertaking of 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 said female minor. This declaration is at page No. 45-46 to the Petition.

21. The Pre-adoption foster care Affidavit dated 08/04/2025 is on record at page Nos.47-49 to the Petition.

22. As regards the change of name, the prospective adoptive parents desire that the said female minor 'Archana Mukesh Varma' be renamed as "Swara Kaustubh Deodhar".

23. The Undertaking dated 20/03/2025 given by the Specialized Adoption Agency "Vatsalya Trust" Kanjur Marg, Mumbai for furnishing post adoption follow-up reports is on record at page No. 130 to the Petition.

24. The Petitioner Institution's recognition from the Women & Child Development, Maharashtra State to place children in adoption is valid up to 30/09/2025. However, the Petitioner institution has applied for renewal and in the interregnum has filed this adoption petition under the provision of Regulation 25(4) & (5) of the Adoption Regulation 2022.

25. Mr. O. Hareendran, the Scrutiny Officer, has tendered the Representation of the Indian Council of Social Welfare dated 09/09/2025 which is taken on record and marked 'X' for identification.

26. 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 female minor child that she is adopted by the Proposed Adopters.

27. 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 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 the 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.

¹ W.P.(L) No.32065 of 2022

(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."*

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

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

“(a) That the Prospective Adoptive Parents be given the said child Swara Kaustubh Deodharin Adoption and be declared as parents having 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 Swara Kaustubh Deodhar born on 30/03/2017 and stating thereon that the Prospective Adoptive Parents are the Parents of the said minor.

(d) That the Prospective Adoptive Parents be allowed to change the name of the minor from 'Archana Mukesh Varma' to "Swara Kaustubh Deodhar".

30. There is an undertaking of the Adoptive Parents in the Judge's Order to invest Rs.4 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 her becoming a major. These undertakings are accepted as undertakings to this Court.

31. The Judge's Order is also accepted and signed separately.

32. Indian Adoption Petition is accordingly disposed of. There shall be no order as to costs.

[FIRDOSH P. POONTWALLA, J.]

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