

ORDER :

1. This Foreign Adoption Petition has been filed by the Petitioners under Regulation 55 of the Adoption Regulations, 2022 (**“The Regulations, 2022”**) framed in exercise of powers under clause (c) of Section 68 read with clause (3) of Section 2 of the Juvenile Justice (Care and Protection of Children) Act, 2015 (2 of 2016) (**“The said Act”**), which provides for adoption by a step-parent viz Petitioner No.1 of female minor Twisha (**“the said female minor”**), who is the biological daughter of the Petitioner No.2.

2. The said female minor was born on 11th August, 2010, at Ahmedabad from the first marriage of Petitioner No.2. The Petitioner No.2 was married to one Mr. Ravi Gupta (biological father of the said female minor) on 10/07/2008 at Ahmedabad and divorced on 03/05/2016 under Section 13B (2) of the Hindu Marriage Act, 1955. The said female minor is now aged about 15 years. As per the mutually agreed terms in the Decree of Divorce,

the permanent and sole custody, exclusive parenting rights and legal guardianship of the said female minor remained with her biological mother i.e. Petitioner No.2.

3. The Divorce Decree dated 03/05/2016 passed by the Principal Judge, Family Court, New Delhi is on record at page Nos. 27-34 to the Petition.

4. The Birth Certificate of the said female minor dated 13/08/2010 issued by the Ahmedabad Municipal Corporation is on record at page Nos. 25 to the Petition.

5. After the divorce, the Petitioner No.2 has married the Petitioner No.1 on 18/01/2017 and since then the said female minor has been living with them. Now the Petitioner No.1 is desirous to adopt the said female minor.

6. The consent of the Biological parents and the Step-Parent has been provided as per Schedule XX and under Regulations 52(2) & 55(2) of the Regulations, 2022. Further the Petitioner No.1 as Step Parent has also obtained the permission of

Child Welfare Committee (CWC), Mumbai Suburban-II on 29/11/2024 for the purpose of Adoption of the said female minor. This is on record at page Nos.35-37 to the Petition. A separate consent of biological father of the said female minor dated 02/10/2024 is also on record at Page Nos.66-67 to the Petition.

7. The consent letter of the said female minor is on record at page Nos.56-57 to the Petition.

8. The Central Adoption Resource Authority (CARA) letter dated 26/12/2024 to the Consular, High Commission of India, Singapore regarding Pre-Approval for Inter Country Adoption in the case of said female minor is on record at page No.38 to the Petition. It states in paragraph no. 2 “It is reiterated that CARA is in pre-agreement with the proposed adoption. Hence you may kindly convey your acceptance”.

9. The Acceptance Letter of the High Commission of India, Singapore dated 28/05/2025 addressed to CARA is on record at page No.95 to the Petition. It states that the High Commission of India (AFAA), recommends the adoption of the

said female minor by the Prospective Adoptive Parents subject to the condition that the Prospective Adoptive Parents fulfill all applicable guidelines and regulations stipulated by CARA.

10. The Petitioner No.1 is a British National of Indian origin (OCI Card holder) and the Petitioner No.2 is an Indian National, both being permanent residents of Mumbai, Maharashtra and currently residing at Singapore, aged about 45 and 42 years respectively. They have been married for the past 8 years (18/01/2017) with no biological children.

11. The Petitioner No.1 was married earlier on 21/05/2008 and divorced on 30/11/2010 with no issues from this marriage. The Divorce Decree dated 30/11/2010 of the Family Court at BOW, New Jersey, USA is on record at page No.55 to the Petition.

12. Passport copies and Aadhar copies (Proof of permanent residence) of the Petitioners and OCI Card of the Petitioner No.1 are on record at page Nos.17-22 to the Petition.

13. The current family photograph and current proof of residence are on record at page Nos.24A & 24B to the Petition.

14. The Medical Report dated 11/06/2024 of the Petitioner No.1 states that he does not suffer from any chronic, contagious or fatal disease and he is fit to adopt. The said report is on record at page No.26A to the Petition.

15. The Medical Report dated 11/06/2024 of the Petitioner No.2, states that she has Hypothyroidism which is well controlled on Thyronorm 75 mcg daily. She is in excellent overall health. The said report is on record at page No. 26B.

16. The Petitioner No.1 is working as a Chief Executive Officer with Indospace capital Asia, Singapore and his monthly (January-2025) gross salary is SGD 33,333.33. His Pay slip Advice and Income Tax Notice Assessment for the year 2024 is on record at page Nos.68D-68F to the Petition.

17. The Petitioner No.2 is working as a Regional BDM APJC, Global Accounts with Amazon Web Services Singapore

Pte Ltd., and her monthly (January-2025) gross salary is SGD 26,633.33. Her Pay slip Advice and Income Tax Notice Assessment for the year 2024 is on record at page Nos.68D, 68G-68H to the Petition.

18. The Family Background Report dated 21/11/2024 of the Child and the biological parents as per Schedule XXI of Adoption Regulations by the District Child Protection Unit, Mumbai City (online meeting held on 09/11/2024) has found the Petitioner No.1 suitable to adopt the said female minor. The said Report is on record at page Nos.44-50 to the Petition.

19. The Pre-Approval Letter dated 04/12/2024 of the Asst. Commissioner, Child Development & Programme Manager, Maharashtra State Child Protection Society, Women and Child Development Maharashtra, Pune is on record at page No.39 to the Petition.

20. Home study report Part I: self Assessment by the Prospective Adoptive Parents dated 31/08/2024 is on record at page Nos.78-85 to the Petition.

21. The Home study report Part II: Assessment report of the Social Worker of the High Commission of India, Singapore dated 11/09/2024 has found the Petitioner No.1 suitable to adopt the said female minor. The said Home study report is on record at page Nos.86-90 to the Petition.

22. Recommendation letters in support of adoption of the said female minor from close friends are on record at page Nos.37A-37D to the Petition.

23. The said female minor's Passport copy, consent letter and Aadhar Card copy are on record at page Nos.23-24, 56-57 & 64 to the Petition.

24. The Medical Certificate of the said female minor dated 14/11/2024 is on record at page No.60 to the Petition and it states that she does not suffer from any chronic, contagious or fatal disease and she is fit.

25. As regards the change of name, the Prospective Adoptive Parent desires that the said female minor '**Twisha**' be

renamed as “**Twisha Sharad Gohil**”.

26. Mr. O. Hareendran, Scrutiny Officer has tendered the Report/Representation of the Indian Council of Social Welfare dated 2nd July, 2025, which is taken on record and marked ‘X’ for identification.

27. Having considered the material on record as well as the Report/Representation of the Scrutiny Officer marked ‘X’, I am of the view that it would be in the interest of the said female minor, if she is adopted by Petitioner No.1.

28. It is relevant to note here that 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, the Division Bench of this Court on 10th January, 2023 passed an interim order. The relevant portion of said order of Division Bench reads as follows :

1

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

“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.”

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

30. In these circumstances, the Petition is allowed in terms of prayer clauses (a) to (c) of the Petition, which read thus:-

(a) That this Hon'ble Court be pleased to appoint Petitioner No.1 as the adoptive father of the female minor Ms. Twisha, who is presently in the care and custody of the Petitioners.

(b) That the Petitioners, Sharad Suresh Gohil and Neha Sharad Gohil, may be granted leave to make an application to Passport authorities or any authorities to register the Petitioner No.1 as the adoptive father of the minor Ms. Twisha.

(c) That the Ahmedabad Municipal Corporation be directed to issue Birth Certificate for the minor Ms. Twisha, within five working days from the date of the application made by the Petitioners.

31. There is an undertaking of Petitioner No.1 to invest an amount of Rs.2,00,000/- (Rupees Two Lakh only) in the name of

the Adopted Child. Petitioner No.1 also undertakes not to withdraw this investment till the Adopted Child attains majority. Petitioner No. 1 agrees to handover the investment receipts to the Adopted Child on her becoming a major. These undertakings are accepted as an undertakings to this Court.

32. The Judge's Order is accepted and signed separately.

33. The Foreign Adoption Petition is accordingly, disposed of. There shall be no orders as to costs.

[R.I. CHAGLA, J.]