

Sharada

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

INDIAN ADOPTION PETITION NO. 52 OF 2025
WITH
JUDGE'S ORDER NO. 72 OF 2024
IN
INDIAN ADOPTION PETITION NO. 52 OF 2025

Mr. Dipak Hari Mahadik and
Mrs. Darshana Dipak Mahadik ...Petitioners

Mr. Rakesh Kapoor i.by Kapoor and co., Advocate for the Petitioner.

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

Mr. Dipak Hari Mahadik- Adoptive Father.

Mrs. Darshana Dipak Mahadik- Adoptive Mother along with minor
Manthan present in Chamber.

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

CORAM : R.I. CHAGLA, J.

DATE : 13th AUGUST, 2025

ORDER :

1. By this Indian Adoption Petition, the Petitioners are seeking adoption of the male minor Shravan (“**the said Adoptee**”) who was born out of the wedlock on 24/02/2024 at Mumbai to one Ms. Shruti

Kondiba Kamble, a close family friend of the Petitioner. The putative father refused to take on any responsibilities of the said Adoptee and left the mother and the child. Since the child was born illegitimately, the biological mother being very young and unprepared to bring up the said Adoptee with no means of support from any relative, she relinquished the said Adoptee to the Petitioners on 19/03/2024.

2. The Petitioners state that looking into better future, ultimate welfare and well-being of the said Adoptee, they had filed a Guardianship Petition viz. Indian Guardianship Petition No.4 of 2024 in this Court with the consent of the biological mother. This Court allowed the Petition on 11/12/2024. The said Guardianship order is on record at page Nos.17-21 to the Petition.

3. The Present Indian Adoption Petition is filed by the Petitioner as per the law laid down in the judgment dated 27th October, 1999 of the then Justice Shri F. I. Rebello (2000 All MR Pg.39) and the judgment dated 22nd April, 2018 of the then Justice Shri G. S. Patel (Indian Adoption Petition No.32 of 2018).

4. The Petitioners are Indian Nationals residing at Kurla West, Mumbai, aged about 54 and 49 years respectively. They have been

married for the past 30 years (24/03/1995) and have no biological children.

5. The Medical Fitness Certificate of the Petitioners dated 03/03/2025 is on record and it states that both are clinically and physically fit. These reports are at page Nos.34-35 to the Petition.

6. The Petitioner No.1 is self-employed (Four-Wheeler Driver) and his annual income is Rs.3,00,000/-. The Self Affidavit-Cum-Declaration of the Petitioner No.1 is on record at page Nos.42-49 to the Petition. The Petitioner No.2 is a Homemaker.

7. The Proof of Residence, PAN Card Copies and Supportive Financial documents are on record at page Nos.38-41 & 50-70 to the Petition.

8. As per this Court's direction dated 11th December, 2024, the Petitioners had invested a sum of Rs.1,25,000/- in the name of the said Adoptee in LIC's Single premium plan. The LIC Premium Receipt dated 24/12/2024 is on record at page Nos.71-73 to the Petition.

9. The Home Study Reports dated 13/10/2024 and 02/03/2025

of the Social Worker Mrs. Annupama P. Gangan, MA B.Ed., MSW have found the Petitioners to be suitable Adoptive Parents for the said Adoptee. These said reports are on record at page Nos.74-81 to the Petition.

10. The follow up Reports of the said Adoptee dated 02/03/2025 of the Social Worker Mrs. Annupama P. Gangan, MA B.Ed., MSW state that the said Adoptee is a normal and active child. He has a close bonding with his Adoptive Parents, especially with his mother with whom he spends most of his time. The Petitioners are very happy that they took the decision of adopting the said Adoptee and the said Adoptee has also adjusted very well to the Adoptive family and the environment. The said follow up report is on record at page Nos.90-93 to the Petition.

11. The Medical Certificate dated 04/03/2025 of the said Adoptee is on record at page No.85 to the Petition and it states that he is normal healthy child.

12. The Latest Post Card Size Photograph of the said Adoptee is on record at page No.84 to the Petition.

13. The Recommendation letters in support of adoption of the said Adoptee from close family friends of the Petitioners are on record at page Nos.87-95 to the Petition.

14. Mr. O. Hareendran, Scrutiny Officer has tendered Report / Representation or the Indian Council of Social Welfare (ICSW) dated 07/08/2025. It has been opined in the Scrutiny Report that based on the Indian Guardianship Petition No.4 of 2024 granted on 11/12/2024 by this Court in favour of the petitioners and the home visit report/progress report prepared by the Qualified Social Worker, the Said Adoptee is well integrated into the Adoptive Family.

15. The said Adoptee together with the petitioners are present at today's hearing. From the interaction with them , I find that the said Adoptee has a positive approach to his being confirmed the legal status being Adopted son of the Petitioners.

16. Considering that as per the earlier Order dated 11th December 2024, the Petitioners have invested a sum of 1,25,000/- in the name of the said Adoptee in LIC's Single premium plan and for which LIC's Premium Certificate dated 24th December 2024, is

on record, there is no question of any further investment.

17. I have considered the material on record as well as the Report of the Scrutiny Officer marked 'X'. In my view, it would be in the interest of the said Adoptee that he is adopted by the Petitioners.

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

(a) "That this Hon'ble Court may be pleased to declare the Petitioners as Adoptive Parents of the said male minor Manthan Dipak Mahadik, under the guardianship of the Petitioners Mr. Dipak Hari Mahadik and Mrs. Darshana Dipak Mahadik.

(b) That the period of two years must elapse before the Court considers the Petition for adoption from the date the Court passes the order of Guardianship be waived off.

(c) That the Petitioner be allowed to change the name of the male minor from "SHRAVAN" to Manthan Dipak Mahadik".

(d) That the concerned Municipal Authority / Birth Certificate issuing Authority may be directed to issue Birth Certificate in the name of the said male minor Manthan Dipak Mahadik, born on 24/02/2024 and stating that thereon that the Petitioners Mr. Dipak Hari Mahadik and

Mrs. Darshna Dipak Mahadik as the Parents of the said male minor Manthan Dipak Mahadik”.

19. This order shall be acted upon by all authorities concerned.
20. The Judge's Order is also accepted and separately signed.
21. The Indian Adoption Petition is accordingly disposed of.
22. There shall be no orders as to costs.

[R.I. CHAGLA, J.]

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