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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
AND
IN ITS GENERAL AND INHERENT JURISDICTION
FOREIGN ADOPTION PETITION NO. 8 OF 2026

Smt. Narsabai Mahila Mandal

Having its registered address at Post. Wadgaon, Tq. Mukhed,
Dist. Nanded – 413 715,

Through: Shri Virbhadrappa Prabhayappa Mathwale,
Superintendent of the Smt. Narsabai Mahila Mandal

... Petitioner

AND

1. Mr. Sandip Basak,

R/o. 100 Nanyang Crescent,
06-02 Singapore,
637 819.

2. Sagarika Basak,

R/o. 100 Nanyang Crescent,
06-02 Singapore,
637 819.

... Prospective Adoptive Parents

Mr. Swapnil S. Dhage for Petitioner.
Mr. O. Hareendran, Scrutiny Officer - ICSW present.
Mr. Dilip S. Gurav, Chamber Registrar present.

CORAM: FARHAN P DUBASH, J.

DATE : 18th FEBRUARY 2026

ORDER:

1. By this Foreign Adoption Petition, the Petitioner and the Prospective Adoptive Parents (**PAPs**) have sought the adoption of the female minor Nitya (**minor**) born on 26th March 2025. The minor was admitted to the Petitioner Institution, Smt. Narsabai Mahila Mandal, Wadgaon, Nanded, on 22nd April 2025, as per the order of the Child Welfare Committee (**CWC**), Nanded, under the provisions of the Juvenile Justice (Care and Protection of Children) Act, 2015 (**JJ Act**). The Admission Order of the CWC is on record.

2. After making a due inquiry under Section 38 of the JJ Act, the CWC, Nanded, declared the minor legally free for adoption on 11th July 2025. The Free for Adoption Certificate is on record.

3. The Central Adoption Resource Authority (**CARA**), has issued a No Objection Certificate (**NOC**) dated 25th November 2025 to this adoption as per the Adoption Regulations, 2022. The said No Objection Certificate is also on record.

4. The NOC of CARA further states that the recognition of the Petitioner institution herein had expired on 5th May 2025, hence, the District Child Protection Unit (**DCPU**), Nanded, has been authorized to process the case. However, the DCPU has issued an authorization letter dated 30th

January 2026, stating that the recognition of the Petitioner institution has been extended up to 31st March 2026 by the District Women and Child Development, Government of Maharashtra, vide its order dated 12th December 2025. Hence, the DCPU authorized the Petitioner institution to process the adoption case of the minor. The DCPU authorization letter is on record. The undertaking/affidavit by the Superintendent of the Petitioner institution is also on record.

5. The PAPs are Indian Nationals, residing in Singapore, aged about 39 and 37 years respectively, who have been married for the past 12 years with no biological children. The Marriage Certificate of the PAPs is on record. The PAPs passport copies and joint family photograph is also on record.

6. The Medical reports dated 14th November 2024 of the PAPs are on record, and they state that they do not suffer from any chronic, contagious or fatal disease, and they are fit to adopt. Their HIV and Hepatitis-B Test Reports certify the case as non-reactive. These reports are on record.

7. The Prospective Adoptive Father is employed as a full-time Nanyang Assistant Professor at Nanyang Technological University, Singapore,

since March 2021, and his present monthly salary is S\$13,480.13 (equivalent to Rs. 9,43,600/-). His Employment and Income Certificate and Tax Certificate are on record. It is stated that the Prospective Adoptive Mother is a Homemaker.

8. The Home Study Report Part I self-assessed by the PAPs dated 19th October 2021 is on record. The Home Study Report dated 22nd October 2021 by the Social Worker of the High Commission of India, Singapore, has found the PAPs suitable for adopting a child. These reports are on record. In addition, the Psychological Assessment Report of the PAPs, dated 4th November 2024, by the Principal Clinical Psychologist, registered in Singapore & Australia has found the PAPs suitable for adopting a child. The Psychological Assessment Report is on record.

9. The letter of High Commission of India, Singapore, is on record, and it states that Singapore is not a signatory to the Hague Convention for adoption. Hence, Article 5 and Article 17 are not applicable to NRI/Overseas Citizens of India and Foreign PAPs adopting a child from India.

10. The Child Security undertaking dated 19th January 2026, given by the Prospective Adoptive Mother's elder brother to take care of the minor in case of any unforeseen mishap to the PAPs is also on record.

11. The Criminal Clearance Certificate of the PAPs and Reference/Recommendation Letters from acquaintances in support of the present adoption are also on record.

12. The Medical Examination Report of the minor, dated 18th July 2025, is on record, and it states the health status of the minor as normal and overall observation of the minor as a healthy infant. It is important to note that the PAPs have countersigned this Report. The HIV Report of the minor dated 31st December 2025 certifies the case as non-reactive. This report is on record. The Post Card Size Photograph of the minor is on record.

13. The Declaration of consent, willingness and undertaking dated 17th December 2025 of the PAPs is on record, and it states that they are willing to adopt the minor. They further undertake to allow personal visits by the representative of the State Adoption Resource Agency during post-adoption follow-up. The Pre-adoption foster care undertaking dated 17th December 2025 is also on record.

14. As regards the change of name, the PAPs desire that the minor be renamed as "**Souridhi Basak**". The name change request letter dated 23rd December 2025 of the PAPs is on record.

15. The undertaking dated 19th August 2025 by the authorities of the High Commission of India, Singapore, to provide follow-up reports of the minor and make alternative arrangements to facilitate the repatriation of the minor in case of disruption of the adoptive family is also on record.

16. The Power of Attorney dated 17th December 2025, duly executed by the PAPs in favour of the Petitioner Institution, is on record.

17. The Petitioner Institution's recognition from the Women & Child Development, Maharashtra State, to place children in adoption is valid for a period up to 31st March 2026. The copy of the Extension order dated 12th December 2025 of Women & Child Development, Government of Maharashtra, is on record.

18. Mr. O. Hareendran, Scrutiny Officer, has tendered a Report/Representation of the Indian Council of Social Welfare dated 12th February 2026, which is taken on record and marked 'X' for identification.

19. It is relevant to note here that in the case of **Nisha Pradeep Pandya and Anr. v. Union of India and Ors¹**, concerning a 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

¹ 2023 SCC OnLine Bom 90

interim order. The relevant portion of 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.*

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.*

20. Hence, it is well settled that this Court can consider and dispose of the present Petition.

21. Having considered the material on record as well as the Report of Mr. O. Hareendran, Scrutiny Officer marked X, I am of the view that it would be in the interest of the minor that she is adopted by the PAPs.

22. Accordingly, the following order is passed:

ORDER

- (i) The Proposed Adoptive Parents are hereby declared as Parents of the minor and shall be permitted to take the minor to the Country of their residence for bringing up the child as their own.
- (ii) The Proposed Adoptive Parents are granted permission to change the name of the minor Nitya to Souridhi Basak.
- (iii) The concerned Municipality / the Birth Certificate Issuing Authority, Nanded, Waghala is directed to issue Birth Certificate to the minor Souridhi Basak, born on 26th March 2025, within five working days from the date of application of the Petitioner, as per the provisions of sub-regulation (5) of the Adoption Regulation 19 and Regulation 40, and stating thereon that the Prospective Adoptive Parents as the Parents of the minor.
- (iv) The concerned Regional Passport Office is directed to issue Passport for the minor Souridhi Basak within ten days from the date of application, as per sub-regulation (4) of regulation 19 and Regulation 42.
- (v) It is directed that the Petitioner will obtain further undertakings from the PAPs that they will not give the minor for further adoption without the prior leave of this Court. Once this undertaking is obtained, the same shall be filed on the record of this Court.

- (vi) The Foreign Adoption Petition is disposed of. There shall be no order as to costs.

(FARHAN P. DUBASH, J.)

Shubham Gadhavepatil