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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. 7 OF 2026

St. Catherine's Home,

part of St. Catherine's Society at Veera Desai Road,
Andheri (West), Mumbai – 400 058

through its Superintendent / Authorized Signatory

Sister Rosemaria Francis Vadakken

... **Petitioner**

And

Ramesh Bapu Kore,

aged 43 years, Occupation: Service and

Vijaya Ramesh Kore,

aged 40 years, Occupation: Service,

Both Indian Nationals, residing at Post Abdul Lat,

Taluka Shirol, District Kolhapur – 416 143.

... **Prospective Adoptive Parents.**

Mr. Rakesh K. L. Kapoor for Petitioner.

Ms. Vandana M. Chincholkar – Scrutiny Officer – ICSW present.

Mr. Dilip S. Gurav, Chamber Registrar present.

CORAM : FARHAN P. DUBASH, J.

DATE : 21st JANUARY 2026

ORDER:

1. By this Indian Adoption Petition, the Petitioner Institution and the Proposed Adoptive Parents (**"PAPs"**) have sought adoption of the male minor Akshay (**"the said male minor"**) stated to be born on 16th November 2023. The said male minor was surrendered by his biological parent before the Child Welfare Committee (**"CWC"**) Mumbai Suburban-II, on 20th December 2023 under the provisions of the Juvenile Justice (Care and Protection of Children) Act, 2015. The Admission Order of the CWC is also on record.

2. After making the due inquiry under section 38 of the Juvenile Justice (Care and Protection of Children) Act, 2015, the CWC, Mumbai Suburban-II declared the said male minor "Legally Free for Adoption" on 11th August 2025. The Free for Adoption Certificate is on record.

3. The PAPs are Indian Nationals, residing at Kolhapur, Maharashtra aged about 43 and 40 years respectively. They have been married for the past 14 years with no biological children. The Certificate of Registration of Marriage, the Joint Family Photograph, PAN, Aadhar Cards, Proof of Residence and the Motivation letter is on record.

4. The Medical Report dated 1st November 2025 of the PAPs is on record and states that they are Physically fit. The Prospective Adoptive Mother

has a history of Hypothyroidism on PX. Their HIV and HBsAg Test Reports certify the case as non-reactive. These reports are also on record.

5. The Prospective Adoptive Father is working as a Lecturer Group B with the Office of the District Institute of Education & Training Phaltan Dist. Satara since 7th August 2017 and his monthly gross salary is Rs. 1,00,301/-. His pay slips, Income Tax Returns and Form No.16 are on record. The Supportive financial documents and Proof of Residence are also on record.

6. The Prospective Adoptive Mother is working as an Assistant with Maharashtra Industrial Development Corporation, Kolhapur division since 14th August 2015 and her monthly gross salary is Rs. 85,520/-. Her pay slips, Income Tax Returns and Form No.16 are on record.

7. The Home Study Report Part I Self-Assessment of the PAPs is taken on record. The Home Study Report Part II: Assessment Reports dated 4th January 2022 and 17th December 2024 of the Specialized Adoption Agency 'Shishugruh' ("SAA") Kolhapur have found the PAPs suitable to adopt a child. The same is also on record.

8. The Child Security undertaking dated 1st November 2025 given by the Prospective Adoptive mother's brother and sister-in-law residing at Satara,

Maharashtra to look after the said male minor in case of any mishap to the PAPs is on record.

9. The Medical Examination Report of the said male minor dated 29th September 2025 states that "Health Status: Normal. Overall Observation of the Child: Akshay is a healthy little child who has achieved most of his milestones for age. All his routine screening tests are within normal limits. He has not had any major medical concerns so far." The PAPs have countersigned these Reports and is on record. The H.I.V Report of the said male minor dated 12th September 2025 certifies the case as Negative. These reports along with the Post card photo of the said male minor are taken on record.

10. As regards the change of name, the PAPs desire that the male minor 'Akshay' be renamed as "Veer Vijaya Ramesh Kore". The Statement for the same is on record as well.

11. The other documents are in order, including the pre-adoption foster care undertaking, the declaration and willingness undertakings. A copy of the Affidavit by the Chief Functionary of the SAA in support of the adoption of the said male minor is also on record. The Petitioner Institution's undertaking to furnish follow up Post Adoption Reports is also taken on record. Reference letters have been taken on record as well.

12. The Petitioner Institution's recognition from the Women & Child Development, Maharashtra State to place children in adoption is valid for the period up to 31st March 2026.

13. The Minutes of Adoption Committee Meeting 13th November 2025 is on record, and it states that the PAPs are suitable to adopt the said male minor.

14. Mr. O Hareendran, Scrutiny Officer has tendered Report/Representation of Indian Council of Social Welfare dated 15th January 2026, which is taken on record and marked "X" for identification.

15. All requirements are satisfied as per Section 58 of the Juvenile Justice (Care and Protection of Children) Act, 2015, Regulations listed therein Chapter II and III of the Adoption Regulations, 2022.

16. 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.** 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. relevant portion of 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."

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

18. 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 said male minor that he is adopted by the PAPs.

19. 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 Veer Vijaya Ramesh Kore in 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 male minor Veer Vijaya Ramesh Kore 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 Veer Vijaya Ramesh Kore, born on 16/11/2023 and stating thereon that the Prospective Adoptive Parents are the Parents of the said minor.

(d) That the Prospective Adoptive Parent be allowed to change the name of the minor from 'Akshay' to "Veer Vijaya Ramesh Kore".

20. Judge's Order is accepted and signed separately.

21. It is directed that the Petitioner will obtain further undertakings from the PAPs that they will not give the said male 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.

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

(FARHAN P. DUBASH, J.)