

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION  
AND  
IN ITS GENERAL AND INHERENT JURISDICTION  
  
INDIAN ADOPTION PETITION NO. 10 OF 2026**

**Shree Manav Seva Sangh, Mumbai**

Having address at – 255-257, Sion Main Road,  
Sion West, Mumbai- 400022

Through its Authorized Signatory/Convener -  
Mrs. Anupama P. Gangan

... **Petitioner**

And

**1. Mr. Ravindra Narayan Malap**

aged 53 years, Occupation: Service,

and

**2. Mrs. Samrudhi Ravindra Malap**

aged 44 years, Occupation: Homemaker,  
Both residing at Post Guhagar, Khala Chapat  
Jungale Wadi, Taluka Guhagar,  
Ratnagiri – 415703, Maharashtra

... **Prospective Adoptive Parents**

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**Mr. Rakesh K.L. Kapoor** for the Petitioner.

**Mr. O. Hareendran** – Scrutiny Officer – ICSW present.

**Mr. Dilip S. Gurav** - Chamber Registrar present.

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**CORAM : FARHAN P. DUBASH, J.**

**DATE : 25<sup>th</sup> February 2026**

**ORDER:**

1. By this Indian Adoption Petition, the Petitioner and the Prospective Adoptive Parents (**PAPs**) have sought the adoption of the male minor named Manikiyan (**minor**) born on 1<sup>st</sup> November 2019. The minor was found abandoned by the Dadar Police Station on 23<sup>rd</sup> November 2021 and was admitted to the Petitioner Institution on the same day for immediate care and protection. On 24<sup>th</sup> November 2021, the minor was produced before the Child Welfare Committee, Mumbai City II (**CWC**) and his safe custody was given to the Petitioner Institution on the same day as per the order of the CWC under the provisions of Juvenile Justice (Care and Protection of Children) Act, 2015 (**JJ Act**). The Admission Order of the CWC is placed on record.

2. The Child Welfare Committee, Mankhurd, Mumbai, declared the minor 'Legally Free for Adoption' by an order dated 6<sup>th</sup> March 2024 after following the necessary procedure. The required Undertakings and Affidavits have also been tendered and are taken on record.

3. The PAPs are Indian Nationals, residing at Ratnagiri, Maharashtra and are aged about 56 and 49 years respectively. They have been married for the past 26 years with no biological child and their marriage certificate has been placed on record.

4. The Prospective Adoptive Father is employed as a Peon at S.D.G.K Vidyamandir, Guhagar, Ratnagiri and his monthly salary as of June 2025 is stated to be Rs. 49,761. The Prospective Adoptive Mother is stated to be a homemaker. On record are their proof of residence and other financial/supporting documents.

5. The Medical Report dated 16<sup>th</sup> June 2025 of the PAPs is on record, and their HIV reports show a negative result.

6. The Home Study Report of the authorities of the Specialised Adoption Agency – Bhartiya Samaj Seva Kendra, Chiplun has found the PAPs suitable to adopt a child. The Home Study Report records that the PAPs are emotionally stable and well-suited to be entrusted with the adoption and upbringing of the minor. In addition, a Child Security Undertaking executed by the nephew and his wife of the Prospective Adoptive Father, undertaking to look after the minor in the event of any untoward incident or mishap to the PAPs, has been placed on record.

7. The other requisite documents, including the motivation letter submitted by the PAPs, their Declaration of Consent and Undertaking to adopt the minor child, as well as the pre-adoption foster care Undertaking, have also been duly placed on record.

8. The Medical Examination Report of the minor, dated 25<sup>th</sup> March 2025, is on record, and it records the health status of the minor as “Normal”. His overall observation report states that ‘*Child’s development is a dynamic process and may show variation with time. At present up to now his overall mental and physical development is within normal limits*’. It is important to note that the PAPs have countersigned this Report. Moreover, the Medical Examination Report is on record. The HIV Report of the minor, dated 15<sup>th</sup> March 2024, is also placed on record and indicates that the result is negative.

9. As regards the change of name, the PAPs desire that the said minor’s name Manikiya be renamed as “Suryansh Ravindra Malap.”

10. The Petitioner’s recognition from the Department Women & Child Development, Maharashtra State, to place children in adoption is valid for a period up to 30<sup>th</sup> September 2030. A copy of the extension order dated 4<sup>th</sup> November 2025 issued by the Department of Women and Child Development, Government of Maharashtra is placed on record.

11. Mr. O. Hareendran, Scrutiny Officer, has tendered a Report/Representation of the 'Indian Council of Social Welfare' dated 20<sup>th</sup> February 2026 which is taken on record and marked 'X' for identification.

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

13. It is relevant to note here that in the case of ***Nisha Pradeep Pandya and Anr v. Union of India***<sup>1</sup>, which has considered a challenge raised to the Juvenile Justice (Care and Protection of Children) Amendment Act, 2021, the Division Bench of this Court on 10<sup>th</sup> January 2023, has passed an interim order and the relevant portion of the said order is reproduced hereunder :

*"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.”*

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

15. In these circumstances, the following order is passed:-

**:: ORDER ::**

(i) The present Indian Adoption Petition is allowed in terms of prayer clauses (a) to (d) which read as under:

*“(a) That the Prospective Adoptive Parents be given the said child Suryansh Ravindra Malap 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 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 Suryansh Ravindra Malap born on 01/11/2019 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 'Manikiyan' to 'Suryansh Ravindra Malap' born on 01/11/2019."*

(ii) It is directed that the Petitioner will obtain a further undertaking 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.

(iii) The present Indian Adoption Petition is accordingly disposed of.

(iv) There shall be no order as to costs.

**(FARHAN P. DUBASH, J.)**

*Ajay*