

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
AND
IN ITS GENERAL AND INHERENT JURISDICTION

INDIAN ADOPTION PETITION NO. 28 OF 2026

St. Catherine's Home,
Address at – Veera Desai Road,
Andheri (West), Mumbai – 400 058
Through its Authorised Signatory/Convener -
Sister Rosemaria Francis Vadakken ... Petitioner

And

Mrs. Pramila Kailas Sonawane
aged 44 years, Occupation: Self-employed,
Residing at Sonawane Mala,
Chalakhwadi, Tal. Junnar, Dist. Pune,
Maharashtra – 412 412 ... Prospective Adoptive Parent

Mr. Rakesh Kapoor for the Petitioner.

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

CORAM : FARHAN P. DUBASH, J.

DATE : 29th APRIL 2026

ORDER:

1. By this Indian Adoption Petition, the Petitioner and the Prospective Adoptive Parents (**PAPs**) have sought the adoption of the female minor named Khushi Mehbub (**minor**) born on 19th May 2019. The minor was

found abandoned by Borivali Railway Police Station, Mumbai on 19th May 2024 and her safe custody was given to the Petitioner Institution on the same day as per the order of the Child Welfare Committee (**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 CWC Mumbai City – II, declared the minor ‘Legally Free for Adoption’ by an order dated 31st October 2025 after following the necessary procedure. The required Undertakings and Affidavits have also been tendered and are placed on record.
3. The PAP is an Indian National, residing at Junnar, Pune, Maharashtra and is aged about 44 years. She is a widow of an Indian National with no biological/adopted children. The PAP’s marriage certificate has been placed on record.
4. The Prospective Adoptive Mother is self-employed as a farmer and her income for the Financial Year 2024-25 is Rs. 5,00,000 . On record are her proof of residence and other financial/supporting documents.
5. The Medical Report dated 19th January 2026 of the PAP is on record, and the HIV report shows a negative result.

6. The Home Study Report of the authorities of the Specialized Adoption Agency – Renuka Mahajan Trust, Pune has found the PAP suitable to adopt a child. The Home Study Report records that the PAP is 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 brother and sister-in-law of the Prospective Adoptive Mother, undertaking to look after the minor in the event of any untoward incident or mishap to the PAP, has been placed on record.
7. The other requisite documents, including the motivation letter submitted by the PAP, her 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 21st January 2026, is on record, and it records the health status of the minor as “Normal”. His overall observation report states that *‘Child is well adjusted and is doing well in school and amongst peers. At present up to now her overall mental and physical development is within normal limits’*. It is important to note that the PAP has countersigned this Report. Moreover, the Medical Examination Report is on record. The HIV Report of the

minor, dated 12th September 2025, is also placed on record and indicates that the result is negative.

9. As regards the change of name, the PAP desires that the minor's name Khushi Mehbub be renamed as "Kaivalya Kailas Sonawane".
10. The Petitioner's recognition from the Department of Women and Child Development, Government of Maharashtra to place children in adoption is valid for a period up to 20th February 2030 is placed on record.
11. Mr. O. Hareendran, Scrutiny Officer, has tendered a Report/Representation of the 'Indian Council of Social Welfare' dated 22nd April 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 she is adopted by the PAP.
13. It is relevant to note here that in the case of ***Nisha Pradeep Pandya and Anr v. Union of India***¹, 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 10th January 2023, has passed

¹ 2023 SCC OnLine Bom 90

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 Parent be given the said child Kaivalya Kailas Sonawane in Adoption and be declared as parent having all parental legal rights, Privileges and responsibilities over the said minor.

(b) That the Prospective Adoptive Parent may be granted leave to remove the said female minor Kaivalya Kailas Sonawane 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 Kaivalya Kailas Sonawane, born on 19/05/2019 and stating thereon that the Prospective Adoptive Parent is the Parent of the said minor.

(d) That the Prospective Adoptive Parent be allowed to change the name of the minor from 'Khushi Mehbub' to 'Kaivalya Kailas Sonawane'.

- (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.)

Jyoti Pawar

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by JYOTI
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