

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
AND
IN ITS GENERAL AND INHERENT JURISDICTION
INDIAN GUARDIANSHIP PETITION NO. 1 OF 2026**

1. Avinash Pundalik Pashte,

age: 44 years, Occupation: Service and

2. Sanika Avinash Pashte,

age: 39 years, Occupation: Housewife

Both Indian Nationals,

residing at Sai Darshan Apartments,

Ground Floor, Near Sant Gadge Hospital,

Sainath Nagar, Vasind,

Shahapur, Maharashtra – 421 601.

... **Petitioners**

And

1. Sapna Virendrasingh Sarwan alias

Sapna Ratnakar Rane,

age: 29 years, Indian National,

residing at Kanchan Row House,

Room No. 2, Sambhaji Nagar,

Ashok Nagar, Satpur, Nashik – 422 012.

... **Respondent**

Mr. Rakesh K. L. Kapoor i/b M/s. Rakesh K. L. Kapoor for Petitioners.

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

Mr. Avinash P. Pashte – Adoptive Father is present.

Ms. Sanika A. Pashte – Adoptive Mother is present.

Kum. Aanandi is present.

Mr. Dilip S. Gurav, Chamber Registrar is present.

CORAM : FARHAN P DUBASH, J.

DATE : 22nd APRIL 2026

ORDER:

1. By this Indian Guardianship Petition, the Petitioners have sought their appointment as legal guardians of the female minor Aanandi Virendrasingh Sarwan (*minor*) born on 4th September 2023 at Green Life Multispecialty Hospital, Nallasopara East, District Palghar. The minor is the biological daughter of the Respondent, namely Sapna Virendrasingh Sarwan *alias* Sapna Ratnakar Rane. It is stated that the minor was born outside of wedlock and illegitimately to the Respondent. It is further stated that the minor's putative father refused to take on any responsibility for the minor and left the Respondent and the minor. Since the Respondent was young, unprepared to raise the minor, and had no support from any relative, she relinquished the minor to the Petitioners.
2. The Respondent was introduced to the Petitioners through the Petitioners' family doctor, Dr. Sneha Shinde of Green Life Multispecialty Hospital, where the minor was born. Thereafter, Respondent handed

over the minor to the Petitioners on 9th October 2023. The Foster Care Agreement dated 9th October 2023 is placed on record.

3. Since the minor has been residing with the Petitioners and is stated to have integrated into the Petitioners' family, the Petitioners have decided to take the minor in legal guardianship with the consent of the Respondent and have accordingly filed the present Petition. The Respondent's Consent Affidavit is placed on record.
4. The Birth Certificate dated 27th October 2023 of the minor issued by the Vasai-Virar City Municipal Corporation, Prabhag E, Nallasopara West, is placed on record.
5. The Petitioners are Indian Nationals presently residing at Vasind, Shahapur, Maharashtra, aged about 44 and 39 years respectively. They have been married for the past 19 years, since 25th May 2006 and have no biological children. The Certificate of Registration of Marriage and Motivation to Adopt are placed on record.
6. The Medical Fitness Certificates of the Petitioners dated 29th July 2025 and 5th August 2025 are on record and state that both the Petitioners

are physically and mentally fit. Their HIV and HBsAg test reports certify the case as non-reactive.

7. Petitioner No.1 has been working as a worker with Brihanmumbai Mahanagar Palika since 2018, and his gross monthly salary for November 2025 is stated to be Rs. 56,698.07/-. His salary slips and Form No. 16 are placed on record. Petitioner No. 2 is a homemaker.
8. The Petitioners' proof of residence, copies of PAN Card and Aadhaar Card, and supportive financial documents are placed on record.
9. The Home Study Report dated 1st November 2025 of Social Worker Ms. Clipsy Banji, BA, MSW, PGPDm, Vasai, District Palghar, is on record, and the report has found the Petitioners suitable for taking the female minor in guardianship.
10. The recommendation letters from close friends in support of this guardianship are placed on record.
11. The Child Security Undertaking dated 19th December 2025, given by Petitioner No.2's younger brother, residing at Bhiwandi, District Thane,

to look after the minor in case of any mishap to the Petitioners, is placed on record.

12. The Medical Certificate dated 27th March 2025 of the minor is placed on record and states that she is fit, of appropriate weight for her age, has achieved all milestones according to her age, and has received all vaccines scheduled in India. The postcard-size photograph of the minor is also placed on record.
13. The consent and undertaking of the Petitioners is placed on record and states, *inter alia*, that they have consented to the legal guardianship and undertake to do all such acts, deeds and things as may be necessary in the interest of the mental and physical welfare of the minor.
14. 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.
15. Having considered the material on record as well as the Report of the Scrutiny Officer marked "X", I am of the view that the reliefs sought in the present Petition are required to be granted.

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

- (a) *That this Hon'ble Court may be pleased to appoint the Petitioners as legal guardians of the person of the said female minor Aanandi Virendrasingh Sarwan, born on 4th September 2023.*
- (b) *That the Notice under Section 11 of the Guardians and Wards Act, 1890, is dispensed with.*
- (c) *That the Petitioners may be granted leave to remove the said minor outside the jurisdiction of this Hon'ble Court and to take the said minor whenever required.*

17. The Indian Guardianship Petition is accordingly disposed of. There shall be no order as to costs.

(FARHAN P. DUBASH, J.)

Shubham Gadhavepatil