

- 1 - Assam Schedule VII, Form No. 143 High Court Form
No. (J) 13

ORDER–SHEET FOR CIVIL COURT

DISTRICT : TINSUKIA

IN THE COURT OF THE DISTRICT JUDGE, TINSUKIA

PRESENT : SRI C. DAS, DISTRICT JUDGE, TINSUKIA

Misc. (Adoption) Case No. 01 of 2022

Mrs. Papori Hazarika & Anr. – AND – Mrs. Purabi Hazarika
05.05.2022

The present petition has been filed under Section 56(2) of Juvenile Justice (Care and Protection of Children) Act, 2015, by the prospective adoptive parents; Mrs. Papori Hazarika and Mr. Samudra Saurav Gogoi with natural/biological mother Mrs. Purabi Hazarika, with a prayer to allow the biological mother Mrs. Purabi Hazarika to give the child, named; **Ms. Kuoli Kashyap Hazarika** in adoption. The applicants/prospective adoptive parents submitted affidavit.

It is stated *inter-alias* in the petition that the child above named, was born on 12.08.2004 to her natural/biological parents, namely; Mrs. Purabi Hazarika and Late Dalim Hazarika. The applicants being the prospective adoptive parents are relative to the natural/biological parents of the child; Ms. Kuoli Kashyap Hazarika and they are the paternal aunt and uncle of the said child. The applicant No.1 is a resident of Muliabari under Digboi Police Station, in the district of Tinsukia, Assam and the applicant

No.2 is a resident of Bordoloi Nagar under Tinsukia Police Station, in the district of Tinsukia, Assam. The child; Ms. Kuoli Kashyap Hazarika was born to her natural parents on 12.08.2004 and they are the residents of Muliabari under Digboi Police station, in the district of Tinsukia, Assam. The father of said child died on 29.10.2007. Hence, the natural mother Smti Purabi Hazarika is desirous of placing the child in adoption, for the reason of providing higher education and a better secured life. Same way, the prospective adoptive parents are desirous of adopting the said child for the reason of providing higher education and a better secured future to her. The applicants and the natural parents have given consent to the proposed adoption, which is annexed with the application vide Annexure-I.

The child proposed to be adopted, has also given her consent for the said adoption and is willing to accept the applicants as her parents, which is annexed as Annexure-II.

The adoption of the child by the applicants from the natural parents would be in the paramount welfare of the child and the applicants would treat the child as their own child with all rights and responsibilities. It is also, stated that the conditions laid down in Section 61(1) of the Juvenile Justice Act have been complied with in this case of proposed adoption. The applicants understand that the adopted child shall become the lawful child of the applicants with all the rights, privileges and responsibilities that are attached to a biological child. Hence, they filed the instant

petition with a prayer to give the said child in adoption to the applicants/prospective adoptive parents.

Apart from the above documents, the following documents have been filed by the applicants -

1. Consent of applicants and the natural parents as per schedule XIX of Adoption Regulation.
2. Consent of the child proposed to be adopted.
3. Affidavit of the prospective adoptive parents in support of their relationship, financial and social status as per Regulation 51 (4) of Schedule XXIV.
4. Consent of the child of prospective adoptive parents.
5. Copy of residential proof and identity proof of prospective adoptive parents.
6. Copy of death certificate of biological father.
7. Copy of residential and identity proof of biological mother.
8. Copy of relative adoption system application.

It appears from the documents, submitted by the applicants that the prospective adoptive parents Mrs. Papori Hazarika and Mr. Samudra Saurav Gogoi are duly registered with Child Adoption Resource Information and Guidance System vide No.RLAS202203084567.

All the documents as required by the Guidelines, governing Adoption of Children, 2015 (in short guidelines of 2015) were duly prepared.

It is seen from the documents available with the

record that the adoption is taken up within the family and as such, there is no need for income certificate, marriage certificate or medical certificate of the prospective adoptive parents. Moreover, the child is already living with the prospective adoptive parents.

After considering entire aspects with the documents so submitted, keeping in mind the welfare and utmost care of the child to be adopted, I am satisfied that Mrs. Papori Hazarika and Mr. Samudra Saurav Gogoi are capable of taking in adoption the child; **Ms. Kuoli Kashyap Hazarika**, who at present, is in the custody of the prospective adoptive parents. I find no impediment in passing an order in favour of Mrs. Papori Hazarika and Mr. Samudra Saurav Gogoi. Accordingly, the prayer for adoption is allowed and permission is granted to the natural/biological mother Smti. Purabi Hazarika to give/handover the child **Ms. Kuoli Kashyap Hazarika** in adoption to the prospective adoptive parents namely; Mrs. Papori Hazarika and Mr. Samudra Saurav Gogoi. The concerned authority is directed to issue birth certificate of the adopted child in favour of the prospective adoptive parents at the earliest, as per law and if necessary.

The instant proceeding stands disposed of and closed accordingly.

District Judge
Tinsukia

