

MHAU010037582026



Presented on : 07-05-2026

Registered on : 08-05-2026

Decided on : 09-07-2026

Duration : 0-year, 2-months, 2-days

IN THE COURT OF DISTRICT JUDGE, AURANGABAD
(Presided over by R. S. Pavaskar, District Judge-3, Aurangabad)

CIVIL M.A. No. 173/2026

Exh. 1

1. **SAKAR Society for Adoption** **Applicants**
**Knowledge Awareness &
Resource,**

Address: Ajmera Complex, Plot No 177,
Main Road Jyoti Nagar
Chhatrapati Sambhajinagar,
Through its Manager,
Dnyaneshwar Kisan Dongare,
Age: 32 years,

And

2. **Mr. Raju Rupo Dhulapkar,**
Age: 48 years, Occupation: Service,
Citizen of India,
R/o. H.No. 407/2, Dhulapi,
Near Primary School, Corlim Goa,
3. **Mrs. Archana Raju Dhulapkar,**
Age: 36 years, Occupation: Homemaker
R/o. As above,

APPLICATION FOR ADOPTION UNDER SECTION 58(3) OF THE JUVENILE JUSTICE (CARE AND PROTECTION OF CHILDREN) Act, 2015 (2 OF 2016) READ WITH REGULATION 12(2) OF THE ADOPTION REGULATIONS.

Appearance:

Ld. Advocate Shri. S.A. Deshmukh for the applicants.

ORAL ORDER

(Passed on 09th July 2026)

The applicants have filed the present application under Section 58(3) of the Juvenile Justice (Care and Protection of Children) Act, 2015, seeking permission to adopt a child.

2. By virtue of the Juvenile Justice (Care and Protection of Children) Amendment Act, 2021, the expression "Court" occurring in Section 58(3) has been substituted by the expression "District Magistrate", thereby conferring jurisdiction upon the District Magistrate to pass adoption orders.

3. In ***Nisha Pradeep Pandya alias Nisha Amit Gor v. Union of India***,¹ the Hon'ble Bombay High Court upheld the constitutional validity of the 2021 Amendment, vacated the interim order dated 10.01.2023, and permitted such matters to be dealt with by the District Magistrate.

¹ 2026:BHC-OS:11417-DB.

4. In view of the aforesaid legal position, this Court has no jurisdiction to entertain the present application. The learned Advocate for the applicants has not disputed the said position and has filed a *pursis* at Exh. 6 seeking withdrawal of the present application. Accordingly, I proceed to pass the following order.

ORDER

1. Civil M.A. No. 173/2025 is disposed of as not maintainable for want of jurisdiction.
2. The applicants are granted liberty to present an appropriate application before the jurisdictional District Magistrate under Section 58(3) of the Juvenile Justice (Care and Protection of Children) Act, 2015.
3. Original documents, if any, be returned to the applicants after retaining true copies thereof on record.

Date: 09.07.2026

R.S. Pavaskar
District Judge-3,
District and Sessions Court, A.bad

CERTIFICATE

I affirm that the contents of this P.D.F. file order are same, word to word, as per the original order.

Name of the Stenographer	: Manoj S. Nangre
Court	: District Judge-3, A.bad.
Date	: 09.07.2026
Judgment signed by the presiding officer on	: 09.07.2026
Judgment uploaded on	: 09.07.2026