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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **W.P.(C) 5682/2023 and CM APPL. 22228/2023, 22229/2023**  
JESI JEEVAARATHINAM ..... Petitioner

Through: Ms Mrinalini Sen, Mr Kaif Khan and  
Ms Sanya Panjwani, Advocates

versus

UNION OF INDIA & ANR. .... Respondents  
Through: Mr. Rakesh Kumar, CGSC With Ms.  
Rupali GP and Mr. Sunil Adv. for  
UOI

**CORAM:**

**JUSTICE PRATHIBA M. SINGH**

**ORDER**

% **02.05.2023**

1. This hearing has been done through hybrid mode.

**CM APPL. 22229/2023 (for exemption)**

2. Allowed, subject to all just exceptions. Application is disposed of.

**W.P.(C) 5682/2023 and CM APPL. 22228/2023 (interim stay)**

3. In the present petition, the Petitioner has challenged the Adoption Regulations, 2022 ('2022 Regulations') issued under the Juvenile Justice (Care and Protection of Children) Act, 2015 by which the conditions for adoption of children have been modified.

4. The Petitioner had applied for adoption of a third normal child in terms of the Regulation 5(8) of the Adoption Regulations, 2017 ('2017 Regulations'). However, upon the said 2017 Regulations being amended with the introduction of 2022 Regulations w.e.f. 23rd September, 2022, the Petitioner has been rendered ineligible for adoption.

5. This Court has already considered similar matter in *Writ Petition 3901/2023* titled *Debarati Nandee v. Union of India* wherein after

considering the matter, the Court had directed as under:-

*“9. In the meantime, since the Petitioner is still in the waiting list and no child has still been referred to her for adoption, her name shall not be removed from the seniority list. If there is any referral for adoption, the Petitioner may approach this court by way of an application.*

*10. If the Petitioner becomes eligible for any referral either under the 2017 or 2022 Regulations, an intimation shall be given to the Petitioner so that she can approach this Court at that stage.”*

6. The above order shall also apply in respect of the Petitioner in the facts of the present case. Let the Petitioner’s name be retained in the waiting list, and if she becomes eligible for any referral either under the 2017 or 2022 Regulations, an intimation shall be given to the Petitioner.

7. In addition, it is directed that the restoration of the Petitioner in the seniority list shall be given effect to within one week.

8. List on 11th May, 2023.

**PRATHIBA M. SINGH, J.**

**MAY 2, 2023**

*mr/dn*