

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

IN ITS GENERAL AND INHERENT JURISDICTION

FOREIGN ADOPTION PETITION NO. 3 OF 2017

WITH

JUDGES ORDER NO. 11 OF 2017

IN

FOREIGN ADOPTION PETITION NO. 3 OF 2017

Disha ... Minor

Bal Vikas Mahila Mandal, Latur

.. Petitioner

And

1) Carlo Luigi Dotti &

2) Mrs. Debora De Rosa

.. Proposed Adopters

Mr. Rakesh Kapoor i/b Rakesh Kapoor & Co. for petitioner.

Mr. O. Hareendran, Scrutiny Officer of ICSW.

CORAM : K.R. SHRIRAM, J.

(IN CHAMBERS)

DATE : 8TH FEBRUARY, 2017

P.C.

1 The petition proposes adoption of a female minor Disha, born on 28th March 2010 by two Italian nationals residing at Maderno, Italy. The minor-Disha was found abandoned at India Nagar, Latur by the MIDC Police Station, Latur on 7th August 2010 and produced before the Child Welfare Committee, Latur on the same day. The safe custody was given to the petitioner institution vide order dated 7th August 2010 under the provisions

of Juvenile Justice Act, 2000 (as amended). The Child Welfare Committee, Latur has also issued an order dated 2nd July 2012 stating that Newspaper publication was given in Dainik Ekmat on 3rd September 2010 calling for objection for rehabilitation of this child. The MIDC Police Station, Latur has given no objection as per their report dated 16th June 2012. It is stated that till today, no one has approached either the petitioner or CWC Latur for claiming the child or accepting responsibility of the child and in view thereof the child is for all purposes an unfortunate destitute. The child has been declared free for adoption by CWC.

2 The proposed adopter father-Carlo Luigi Diotti is aged about 55 years and mother-Mrs.Debora De Rosa is aged about 43 years. They have been married since 8th July 2004 but do not have any biological children. The health report of the proposed adopters state that they are in good and strong physical and mental health and do not have any pathological forms which is clinically relevant. The Test certificates also indicates that the proposed adopters do not have HIV or Hepatitis. The proposed adoptive father is working as an Informatic Analyst with International University of Languages and Media (IULM) Italy since 1997 and his annual income is about Euro 37,900/-. The proposed adoptive mother is working as a Legal Counsel in an Investment Bank and her annual income is approximately

Euro 42,000/-. The Income Tax Returns of the proposed adopters are also annexed. So also the Bank statements. The childcare arrangement plan of the proposed adopters is also on record. The Home Study Report by the authorities of International Adoption Italy is positive.

3 I have considered the petition, annexures thereto and the Report dated 19th January 2017 from the Scrutiny Officer of Indian Council of Social Welfare (ICSW) which is taken on record and marked 'X' for identification. In the report, it is mentioned that *since the submitted IQ Testing Certificate is about 4 years old, a fresh I.Q. Testing Report needs to be submitted to the Hon'ble Court.*

Shri Rakesh Kapoor for the petitioner submits a praecipe dated 8th February 2017 addressed to the Prothonotary and Senior Master, High Court, Bombay forwarding a Psychological Report, dated 30th January 2017 issued by Shri Navnath S. Rupnar, Psychologist certifying that the minor child is of average intelligence. The same is taken on record and marked as 'X-1' for identification.

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4 The Medical Reports of the minor child also indicate that the child has no abnormalities and the child has a normal mental development, behavior and skills etc and the same is countersigned by the proposed

adoptive parents. Therefore, I do not find any impediment in granting the relief sought in this petition.

5 In view of this, the petition is allowed and the Judges Order is separately signed.

(K.R. SHRIRAM, J.)