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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
AND
IN ITS GENERAL AND INHERENT JURISDICTION**

**FOREIGN ADOPTION PETITION NO. 36 OF 2017
WITH
JUDGE'S ORDER NO. 151 OF 2017**

Indian Association for Promotion of
Adoption & Child Welfare, 7, Kanara
Brotherhood CHS Ltd. Mogul Lane,
Matunga(W) Mumbai-400 016, through
Smt.Savita Nagpurkar, Authorized
Signatory of I.A.P.A. Matunga Mumbai
- 400 016.

...Petitioner

Vs

1. FEDERICO SIGNETTI an Italian
National aged about 42 years and

2 MERJ BIGEZZI wife of FEDERICO
SIGNETTI also an Italian National
aged about 41 years both residing
San Miniato (PI) Via Serra No.
9 56028, Italy

...Proposed adopters

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Smt. Lalita Jaya Raj for the Petitioner.
Mr O.Hareendran, Security Officer ICSW present.

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**CORAM : B. P. COLABAWALLA, J.
JULY 19, 2017.**

P.C.:

This is a Foreign Adoption Petition for adoption of a

male minor **Shravan** born on 5th November, 2016 by Italian Nationals. The biological mother of the said minor relinquished the child before the Child Welfare Committee, Mumbai City-II on 19th November, 2016 and the safe custody was thereafter handed over to the Petitioner Institution as per the order of the Child Welfare Committee dated 19th November, 2016. The admission order is on record before me. The representation of the Indian Council of Social Welfare (ICSW) is tendered before me and taken on record and marked "X" for identification.

2 The Child Welfare Committee, Mumbai City II has issued a Certificate dated 15th February, 2017 declaring the child Legally Free For Adoption. The certificate states that " In exercise of the powers vested in the Child Welfare Committee Mumbai City II under section 38 (2) of the Juvenile Justice (Care and Protection of Children) Act, 2015, child **SHRAVAN** date of birth 05/11/2016 placed in the care of the Specialized Adoption Agency Indian Association for Promotion of Adoption (I.A.P.A.) Mumbai vide order No.653/16 dated 19/11/2016 of this Committee, is hereby declared legally free for adoption on the basis of the following: Inquiry report of the Social Worker of

IAPA, Deed of surrender executed by the biological parents or the legal guardian of the child before this committee on 19/11/2016 and Declaration submitted by the Specialized Adoption Agency concerned to the effect that they have made restoration efforts as required under section 40 (1) of the Act, the Rules and Adoption Regulations, but, nobody has approached them for claiming the child as biological parents or legal guardian as on date of the said declaration dated 15/02/2017”.

3 The undertaking/affidavit by the Petitioner is on record.

4 The Central Adoption Resource Authority (CARA), New Delhi has issued a No Objection Certificate dated 30/06/2017 to this adoption as per Adoption Regulations 2017 and Article 17 (c) of the Hague Convention on the Protection of Children and Cooperation in respect of Inter-country Adoption 1993. This NOC is also on record.

5 The proposed adopters are Italian Nationals residing in Italy aged about 42 years and 41 years respectively. They are

married for the past 10 years (05/05/2010) with no biological children.

6 Passport copies of the Proposed Adopters are on record.

7 The health reports dated 30/09/2016 of the proposed adopters are on record and it states “They are in good and strong physical health”. Their HIV and HBsAg (Australian Antigens) test reports certifies the case as Negative. All these documents are on record before me.

8 The prospective adoptive father is working as a Freelance Building Artisan (own company “Signetti Federico”) since April 2006 and his income for the year 2015 is of Euros 22,932.00. The prospective adoptive mother is working as a Clerk and Vice President with “Promo Cultura Coop. Company a.r.l. Italy” since 02/01/2001 and her annual salary is of Euros 34,846.96.

9 The income tax Returns for years 2016 and 2015 are on record.

10 The Attestation and Declaration of personal conditions, Property Certification and Bank references are also on record.

11 The child care arrangement declaration is also before me.

12 The child security letter/Guardianship Letter from the 2nd proposed adopter's sister and brother-in-law to look after the proposed minor in case of any unforeseen mishap to the Proposed Adopters is also on record.

13 The Home Study report dated 28/11/2016 by the authorities "International Adoption" Italy is on record on and it states that the married couple present a strong motivation in facing an international adoption course, they appear as a solid, harmonious couple, with a lot of harmony between them and with a great mutual knowledge. Due to their characteristics, the writer retains that the couple has all the necessary resources to welcome and emotionally sustain a child who presents special needs.

14 The Suitability Decree dated 23/08/2016 from the

Juvenile Court of Florence is on record (Pg. 185-186). The Adoption Guarantee Letter dated 20/01/2017 on behalf of the Government of Italy is also on record.

15 The Medical Examination Report (MER) of the minor dated 16/02/2017 states, "Result of tests for HBS Ag: HbsAg Positive (Date-13/02/2017). The proposed adopters have countersigned this report. A separate Acceptance Letter from the Proposed Adopters is also on record.

16 The H.I.V report of the proposed minor dated 13/02/2017 certifies the case as Negative and the same is on record.

17 The undertaking by the proposed adopters is on record.

18 The undertaking dated 18/04/2017 by the Authorized Foreign Adoption Agency "International Adoption" Italy is on record.

19 The General Power of Attorney dated 28/04/2017 in

favour of the Petitioner institution is on record.

20 The Indian Specialized Adoption Agency (I.A.P.A.)'s recognition from the State Government to place children in adoption is valid for a period from 1.8.2014 to 31.7.2019.

21 Looking at all these documents that are before me, I think it would be in the interest of the child if he is adopted by the proposed adopters. I, therefore, do not find any impediment in granting the reliefs sought in the Petition.

22 In view of this, the Petition is allowed in terms of prayer clauses (a) (b) and (c) and the Judges Order is separately signed.

(B. P. COLABAWALLA, J.)