

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

FOREIGN ADOPTION PETITION NO. 13 OF 2020

M.S.W.C. Adoption Group

... Petitioner

vs.

Davide Fiore and

... Proposed Adopters

Ilaria Chierici

Ms. Dipal Sanjanwala Mehta for the Petitioner.

Mr. Arun Kesarkar, 2nd Assistant Master.

CORAM : A. K. MENON, J.

DATED : 22nd DECEMBER, 2020

P.C. :

1. The petitioners are Maharashtra State Women Council Adoption Group. The co-petitioners being prospective adoptive parents are residents of Italy. Mr. O. Hareendran Nambiar for Indian Council of Social Welfare is granted leave of absence in view of Emailed submissions and Covid-19 protocols.

2. The prospective adoptive parents have been married since September, 2010 and have no biological or adoptive children. The

child has been in the safe custody of Asha Sadan Trust ordered by the Child Welfare Committee, Mumbai City (II) dated 6th February, 2019. The child has been declared legally free for adoption on 10th May, 2019. CARA has issued no objection certificate dated 2nd January, 2020 confirming it has no objection to the minor being adopted by the prospective adoptive parents.

2. Child study report dated 24th July, 2019 is on record. This has been accepted by the prospective adoptive parents on the same date. Medical examination report of the child as also been seen and accepted by the prospective adoptive parents. The child is said to be of normal health. Physical and mental development are said to be normal for the age.

3. The Home study report of the prospective adoptive parents is found satisfactory. Attitude of grandparents and relatives is also positive. They are found to be prepared and trained for adoption. Psychological assessment is also affirmative. They have been found not to have any criminal antecedents. Motivation for adoption is also found to be positive. Parents of the prospective adoptive father have also supported adoption. Documents are annexed confirming working status. The Italian Commission for Intercountry Adoption recommends the Mehala Association to carry out the adoption related processes.

4. Income levels of the prospective adoptive parents and medical examination reports of the prospective adoptive parents are found to be satisfactory. Child care arrangement for the child indicates that the prospective adoptive parents are willing to devote sufficient time. Besides the brother and sister in law of the prospective adoptive mother have undertaken to look after the minor in the event of any unforeseen circumstances. The consent and undertaking to adopt by the prospective adoptive parents is on record.

5. In view thereof I pass the following order;

- (i) Petition is allowed in terms of prayer clause (a) to (e) both inclusive.
- (ii) The child shall not be offered for further adoption.
- (iii) Judges order is signed separately. Undertakings are accepted.
- (iv) This order shall be digitally signed by the Personal Assistant of this Court.

(A. K. MENON, J.)

Rajeshwari
R. Pillai

Digitally signed
by Rajeshwari
R. Pillai
Date:
2020.12.23
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