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

**JUDGES ORDER NO. 11 OF 2026
IN
FOREIGN ADOPTION PETITION NO. 3 OF 2026**

1. Adharashram,

491/6 Gharpure Ghat,

Nashik 422 002, Maharashtra

Through: Rahul M. Jadhav,

Adoption Coordinator

... Petitioner

And

1. Mr. Maurizio Gregoriano,

Italian National,

aged 48 years, residing at Via G. Verdi,

3/5-20043-Vanzago (MI) Italy.

2. Mrs. Stefania Rita Ghidotti,

Italian National,

aged 53 years, wife of Mr. Maurizio Gregoriano,

residing at Via G. Verdi,

3/5-20043-Vanzago (MI) Italy

... Prospective Adoptive Parents

Mr. Rakesh K.L Kapoor for Petitioner.

Mr. O. Hareendran, Scrutiny Officer-ICSW present.

Mr. Dilip S. Gurav, Chamber Registrar present.

CORAM : FARHAN P. DUBASH, J.

DATE : 29th JANUARY 2026

ORDER:

1. By this Foreign Adoption Petition, the Petitioner and the Prospective Adoptive Parents (“**PAPs**”) have sought the adoption of the male minor, Murali (“**the said male minor**”) stated to be born on 30th December 2019. The said male minor was admitted to the Petitioner institution, Adharashram, Nashik on 2nd January 2020 by the order of the Child Welfare Committee, (“**CWC**”) Nashik. The said male minor was finally surrendered through a Deed of Surrender by his biological mother before CWC, Nashik on 2^{7th} July 2023. The admission order is on record.

2. The CWC, Nashik declared the said male minor legally free for adoption by an order dated 29th September 2023 after following the necessary procedure. The required Undertakings and Affidavits have also been tendered and are on record. The No Objection Certificate from the Central Adoption Resource Authority (“**CARA**”) dated 14th August 2025 is also on record.

3. The PAPs are Italian Nationals, residing at Vanzago, Italy, aged about 48 and 53 years respectively, who have been married for the past 15

years with one biological son aged 11 years. Their marriage certificate and the biological son's birth certificate is also on record.

4. The Prospective Adoptive Father is working as Technical Service Engineer with Italtel S.p.A, Italy, since 15th May 2010 and his gross income for the year 2024 was Euro 38,559.07. The Prospective Adoptive mother has been working as a Health Care Worker since 24th May 2021, and her gross income for the year 2024 was Euro 15,942.89. On record are their supportive proof of residence, Payee Statement of Earnings, Income Tax Returns and Financial Statements.

5. The Medical Report dated 2nd December 2022 of the PAPs is on record and deems them medically fit. Their HIV and HBsAg Test reports show a negative result as well. Both the reports are on record.

6. The Home Study Report of the Authorised Foreign Adoptive Agency (**"AFFA"**), C.I.F.A- International Centre for Children & Family, Torino, Italy on record has found the PAPs suitable to adopt a child between the ages 4-6. The Psychological Evaluation Report of the PAPs is also on record and declares them suitable to adopt a child between the ages 4-6. Furthermore, the permission of the receiving country, Italy, as per Articles 5 and 17 of the Hague

Convention (1993) is also on record. In addition, the Child Security Undertaking by the friends of the PAPs residing at Via Molino Sant 'Elena, 20006 Pregnana, Milanese, Italy is also on record.

7. The other documents are in order, including the letter of acceptance, the declaration and willingness and undertakings. A copy of the General Power of Attorney in favour of the Petitioner is also on record. The criminal clearance certificate and the Consent Letter of the biological son is also on record.

8. The Medical Examination Report of the said male minor, dated 28th August 2024, is on record, and it states the health status of the child as Special Need. The Medical Examination Report indicates mild intellectual disability. Additionally, the Medical Examination Report also indicates the presence of a Sickle Cell Trait. The Child Study Report dated 5th November 2024 is also on record. It is important to note that the PAPs have countersigned these reports. The HIV report and HBsAg Test of the said male minor, dated 20th September 2025 and 6th January 2020 respectively, certifies the case as Negative. The same is on record.

9. As regards the change of name, the PAPs desire that the said male minor, 'Murali' be renamed as "Murali Gregoriano".

10. The Petitioner Institution's recognition from the Women & Child Development, Maharashtra State, to place children in adoption is valid and the following is on record.

11. All requirements are satisfied as per Section 59 of the Juvenile Justice (Care and Protection of Children) Act, 2015, Regulations listed in Chapter IV and Regulation 58 of the Adoption Regulations, 2022.

12. Mr O. Hareendaran, Scrutiny Officer, has tendered a Report/Representation of the Indian Council of Social Welfare dated 23rd January 2026, which is taken on record and has been marked 'X' for identification.

13. It is relevant to note here that in the case of **Nisha Pradeep Pandya and Anr v. Union of India**¹ and Ors., concerning a challenge raised to the Juvenile Justice (Care and Protection of Children) Amendment Act, 2021, the Division Bench of this Court on 10th January 2023, passed an interim order. The relevant portion of said order of the Division Bench reads as follows:

8. In the meantime, there will be an ad-interim order only until the next date in terms of prayer clauses (d), (e) and (f) of the petition which reads as follows:

¹ 2023 SCC OnLine Bom 90

d. *Pending the final hearing and disposal of the present Petition, the Hon'ble Court may be pleased to stay the effect, implementation and purport of the letter dated 30th September, 2022 issued by Respondent No. 2;*

e. *Pending the final hearing and disposal of the present Petition, the Hon'ble Court may be pleased to direct the Respondents not to transfer pending adoption matters before the District Magistrates for adjudication.*

f. *Pending the final hearing and disposal of the present Petition, the Hon'ble Court may be pleased to direct the Hon'ble Courts to continue with the adjudication of the adoption matters that are pending on their record and file.*

9. *Additionally, the safer and more prudent course of action would be to allow all matters to be placed before the learned Single Judge of this Court who is assigned those matters. Those orders may be continued to be passed until the challenge is finally decided.*

14. Therefore, it is clear that this Court can consider and dispose of the present Petition.

15. Having considered the material on record as well as the Report of Mr. O. Hareendran, Scrutiny Officer marked X, I am of the view that it would be in the interest of the said male minor that he is adopted by the PAPs.

16. In these circumstances, the Petition is allowed in terms of the prayer clauses (a) to (e) of the Petition, which read thus :

(a) *For the adoption of the Proposed male minor Murali Gregoriano born on 30/12/19 by Proposed Adopters under Section 59(7) of the Juvenile Justice Act 2015.*

(b) *For declaring the Proposed Adopters as Adoptive Parents of the minor Murali Gregoriano and having all parental rights, privileges and responsibilities over the said minor now in the care and custody of the Petitioner institution Adharashram, 491/6 Gharpure Ghat, Nashik-422 002, Maharashtra*

(c) *That the proposed adopters be allowed to change the name of the said minor Murali to "Murali Gregoriano".*

(d) *Leave/permission be granted to apply the concern Municipal Authorities to issue Birth Certificate of the said minor Murali Gregoriano, born 30/12/2019 and stating thereon that the Proposed Adopters as Parents of the said minor.*

(e) *That the Proposed Adopters may be granted leave to remove the said minor Murali Gregoriano from the jurisdiction of this Hon'ble Court and to take the said minor to ITALY or wherever they may reside in future.*

17. It is directed that the Petitioner will obtain further undertakings from the PAPs that they will not give the said male minor for further adoption without the prior leave of this Court. Once this undertaking is obtained, the same shall be filed on the record of this Court.

18. The Foreign Adoption Petition is accordingly disposed of. There shall be no order as to costs.

(FARHAN P. DUBASH, J.)