



REPUBLIC OF KENYA



KENYA LAW
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**In re NN alias NKN (Infant) (Adoption Cause 1 of 2023)
[2024] KEHC 9579 (KLR) (31 July 2024) (Judgment)**

Neutral citation: [2024] KEHC 9579 (KLR)

REPUBLIC OF KENYA

IN THE HIGH COURT AT BUSIA

ADOPTION CAUSE 1 OF 2023

WM MUSYOKA, J

JULY 31, 2024

IN THE MATTER OF ADOPTION OF NN ALIAS NKN - INFANT

JUDGMENT

1. The applicant, PAO, is a Kenyan citizen, and a trained nurse, in gainful employment. She is widowed. She seeks to adopt Baby NN alias NKN. Her Originating Summons is dated 30th December 2023.
2. The child in question was born on 17th March 2017, at the Kasarani Nursing Home, to a known mother, NM, and a known father, NKNN. This is a family adoption, as the applicant is the biological maternal grandmother of the child, being the mother of NM. The applicant raised the child since infancy, and lives with him. The child was freed for adoption on 6th September 2023, by the Little Angels Network adoption agency, by its certificate number [particulars withheld], issued on even date.
3. To facilitate this adoption, the applicant has been assessed by the Little Angels Network, the Director of Children Services and the guardian ad litem, Consolata Sebby Wesonga. The 3 have compiled and filed their reports in court. The report by the Director of Children Services is dated 12th March 2024, while that of the guardian ad litem is dated 4th April 2024. The 2 reports by the Little Angels Network are dated 6th September 2023. All these reports are favourable, and recommend the proposed adoption. I note that the biological mother of the child, NM, and the biological father of the child, NKNN, have consented to the said adoption, vide documents that they executed on 24th April 2023 and 6th June 2023, respectively, which have been filed herein. Ms. NM confirmed her consent in open court, on 25th April 2024, at the oral hearing of the matter.
4. The applicant has demonstrated that she has the financial and emotional capability and capacity to take care of the child. The child himself appears to have bonded well with her, and, no doubt, he considers her to be his parent.
5. In the opinion of this court, it would be in the best interests of the child that he is adopted by the applicant, who would be able to provide a home and a family for him to grow up in. Consequently, the applicant shall assume all parental rights and duties of the biological parents, in respect of the adopted child. She shall treat him as if he was born to her. The applicant has been made aware that once the



adoption order is made it shall be final and binding, during the lifetime of the child, and that the child shall have the right to inherit her property. The applicant cannot give up the child, owing to any subsequent unforeseen behaviour or other changes.

6. I am satisfied that all the legal requirements for a local adoption have been met, and I, therefore, make the following orders:-
 - a. That the applicant, PAO , is hereby allowed to adopt the child, NN alias NKN , who shall hereafter be known as NKN ;
 - b. That the said child is Kenyan by birth, having been born on 17th March 2017, at Nairobi, Kenya;
 - c. That the Registrar-General is hereby directed to enter this adoption order in the adoption register; and
 - d. That the guardian ad litem is hereby discharged.

7. It is so ordered.

DELIVERED BY EMAIL, DATED AND SIGNED IN CHAMBERS AT BUSIA THIS 31ST DAY OF JULY 2024

W. MUSYOKA

JUDGE

Mr. Arthur Etyang, Court Assistant.

Ms. CSW, guardian ad litem.

Ms. Esther Wasige, Busia County Director of Children Services.

Advocates

Mr. Onyango, instructed by PD Onyango & Company, Advocates for the applicant.

