



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT NANYUKI

ADOPTION CAUSE NO 3 OF 2021 (O.S.)

IN THE MATTER OF AN APPLICATION FOR AN ADOPTION ORDER

AND

IN THE MATTER OF BABY BN(alias ABANDONED INFANT alias

BABY L alias ABANDONED UNKNOWN FEMALE INFANT)

1. JKK

2. AEC.....APPLICANTS

J U D G M E N T

1. The Applicants herein, **JKK** and **AEC**, have applied by amended originating summons dated 15/12/2021 (the original summons is dated 26/07/2021) for an adoption order in respect to the Child known as **BABY BN(alias ABANDONED INFANT, alias BABY L, alias ABANDONED UNKNOWN FEMALE INFANT)**. Other consequential orders are also sought, including the order that if the adoption order sought is granted, the Child be henceforth known as **BEWK**

2. The Applicants were married on 23rd January 2020 and are currently resident and working for gain in Kenya. The 1st Applicant is a Kenyan citizen born on 19/06/1980, while the 2nd Applicant is an American citizen born on 15/11/1985. The couple has one biological child, **HIK**, born on 08/01/2021.

3. The Child sought to be adopted was found abandoned and rescued on 25/02/2015 within Nanyuki Town. She was then about one day old. On 15/07/2016 the Child was placed in the care and control of the 2nd Applicant. On 01/09/2017 the 2nd Applicant was formally appointed Legal Guardian of the Child vide *Nanyuki Children's Court Misc. Case No.13 of 2017*. After their marriage the Applicants were appointed joint Legal Guardians of the Child on 16/07/2020 by the same court in the same proceedings.

4. Nobody has ever come forward to claim the Child who was declared free for adoption by a certificate dated 07/05/2021.

5. Upon perusal of all the material placed before the court, I am satisfied that all legal requirements for the adoption order sought have been met. I have also read all the necessary reports filed herein, including –

(i) Report dated **09/12/2021** by the **Director Children's Services, Laikipia County**.

(ii) Report dated **07/05/2021** by the **Adoption Society, Change Trust**

(iii) Report dated **21/01/2022** by the **Guardian ad litem, MSWM**.

They are all favourable to the adoption order sought for.

6. Finally, I am satisfied that the Applicants are financially and materially capable of giving a good and proper upbringing to the Child, and are already providing her with a conducive and loving home. The adoption order sought is in the best interest of the welfare of the Child.

7. I will in the circumstances grant the adoption order sought. The child shall henceforth be known as **BEWK**. The Child having been born in Kenya, is obviously a Kenyan citizen, presumed to have been born on 25/02/2015 at Nanyuki within Laikipia County. The Registrar-General is hereby directed to enter this adoption order in the **Adopted Children's Register**. It is so ordered.

8. The order sought in respect to issuance of a Kenyan Passport to the Child cannot be properly made in the present proceedings.

DATED AND SIGNED AT NANYUKI THIS 30TH DAY OF MARCH 2022

H P G WAWERU

JUDGE

DELIVERED AT NANYUKI THIS 31ST DAY OF MARCH 2022