



**In re Baby NM alias ARW (Adoption Cause E005 of 2021)
[2022] KEHC 11135 (KLR) (23 June 2022) (Judgment)**

Neutral citation: [2022] KEHC 11135 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NANYUKI
ADOPTION CAUSE E005 OF 2021
HPG WAWERU, J
JUNE 23, 2022**

IN THE MATTER OF

JOM 1ST APPLICANT

HMN 2ND APPLICANT

JUDGMENT

1. By the originating summons dated 17/08/2021 the Applicants herein, JOM and HMN have applied for an adoption order in respect to the Child referred to as Baby NM (to be known as AWM if the adoption order is granted). The Applicants are a married couple under Kikuyu customary law. They have one biological child of their own (who is an adult now) called AM; he has given his written consent dated 30/08/2017 for the adoption order sought by his parents.
2. I have read the statement in support of application for adoption order annexed to the originating summons, together with all the documents annexed thereto. I am satisfied that the Applicants meet all the legal requirements for the adoption order sought.
3. The Child, Baby NM, was born on 02/12/2017. She was found abandoned soon after birth at Gold Village in Mwea-East Sub-County within Kirinyaga County. She was taken to Kimbimbi District Hospital for medical examination and then the matter reported to Wang'uru Police Station. Upon discharge from hospital the Child was admitted to Neema House Infant Rescue Centre. On 10/05/2018 the Child was formally committed to that rescue centre vide Wang'uru Children's Court Case and Protection Care No 12 of 2018.
4. On 29th August 2018 Wang'uru Police Station confirmed that no one had come forward to claim the child since her abandonment. On 26th November 2018 the Child was placed under the care, protection and custody of the Applicants, and has been in their continuous and unbroken care, protection and custody up to the present. She is now about 4 ½ years old.
5. I have also read the various reports filed herein. These are by –



- i. The Guardian ad Litem dated 17/08/2021.
- ii. The Adoption Society, Change Trust, dated 14/10/2017.
- iii. The Directorate of Children Services, Laikipia County, dated 28/03/2022.

All these reports are favourable to the adoption order sought.

6. The Child has been duly declared free for adoption.
7. I have considered the personal circumstances of the Applicants, including their current occupations, incomes and social standing. I have no doubt at all that they have provided and will continue to provide to the Child a conducive home for wholesome upbringing. The Child is happy with them and her soon to be elder brother. They have the wherewithal to educate and raise her to be an upright member of society. They are eminently qualified to be her parents. I find that the adoption order sought is wholly in the best interest of the welfare of the Child.
8. I will therefore grant the adoption order sought. The Applicants be and are hereby authorized to adopt the BABY NM who shall henceforth be called and known as AWM.
9. The Registrar-General is hereby directed to make the necessary entry in the Adopted Children's Register in the prescribed form. It is so ordered.

DATED AND SIGNED AT NANYUKI THIS 22ND DAY OF JUNE 2022

H P G WAWERU

JUDGE

DELIVERED AT NANYUKI THIS 23RD DAY OF JUNE 2022

