



**In re A.M(Child) (Adoption Cause 004 of 2021)
[2022] KEHC 12403 (KLR) (25 July 2022) (Ruling)**

Neutral citation: [2022] KEHC 12403 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT ELDORET
ADOPTION CAUSE 004 OF 2021
EKO OGOLA, J
JULY 25, 2022**

**IN THE MATTER OF AN APPLICATION FOR ADOPTION BY N J K (1ST
APPLICANT) & S K C (2ND APPLICANT) OF INFANTS ACT CAP 143
AND
IN THE MATTER OF A.M (CHILD)**

IN THE MATTER OF

**NJK 1ST APPLICANT
SKC 2ND APPLICANT**

RULING

1. The applicants approached this court by way of originating summons dated March 31, 2021 seeking the following orders;
 1. Spent
 2. Spent
 3. That the guardian *ad litem* be required to file a report within such time as shall be prescribed by the honourable court on the propriety of making an adoption order herein within such time as the honourable court may determine.
 4. That pending granting of prayers (e) and (f) Little Angels Network, the adoption society be required to file their report on the propriety of making an adoption order herein within such time as the honourable court may determine.
 5. That the applicants NJK and SKC be authorized to adopt AM alias AKK
 6. That the registrar general shall make an entry of adoption herein in the adopted child's register in the prescribed form.



7. That this court does issue such further orders as may be deemed fit to meet the interest of justice.
2. The application was based on the grounds contained therein and the supporting affidavit.
3. Pursuant to the court order issued on June 21, 2021, the Little Angels Network was directed to file their report in terms of prayer 4 and the Children's Officer Uasin Gishu was directed to file a report for the court's consideration.
4. The Children's Office filed a report on February 17, 2022 and the Little Angels Network filed a report on December 6, 2021 in compliance with the court orders.
5. I have considered the application, documents filed and the evidence tendered before me. I note that the child is an abandoned child and all efforts to trace his biological mother have been unsuccessful. The child was declared free for adoption by the Little Angels Network Adoption Society on March 31, 2017.
6. Under articles 53(2) of the *Constitution* of Kenya 2010, courts are obligated to take the best interests of the child to be of paramount consideration, in any matter involving a child.
7. From the facts and evidence placed before me herein, I am of the view that allowing this application for adoption will be in the best interests of this otherwise abandoned child, as the child will be able to grow up in a family, with parents who will take care, support and guide him. I therefore allow the application and order as follows: -
 1. The applicants NJK and SKC be authorized to adopt AM alias AKK.
 2. That the Registrar General shall make an entry of adoption herein in the adopted child's register in the prescribed form.
 3. The consent of the biological parents be and is hereby dispensed with as the child was abandoned.
 4. The child AM upon this adoption order is henceforth known as AKK
5. It is so ordered.

DATED, SIGNED AND DELIVERED AT ELDORET THIS 25TH JULY 2022.

E. K. OGOLA

JUDGE

