



REPUBLIC OF KENYA



**In re BA aka CC (Baby) (Adoption Cause 4 of 2020)
[2022] KEHC 15723 (KLR) (24 November 2022) (Judgment)**

Neutral citation: [2022] KEHC 15723 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIAMBU
ADOPTION CAUSE 4 OF 2020
RB NGETICH, J
NOVEMBER 24, 2022**

**IN THE MATTER OF AN APPLICATION FOR ADOPTION OF BABY BA AKA CC
AND
RAW (APPLICANT)**

JUDGMENT

1. The applicant filed originating summons dated September 15, 2020 seeking to adopt Baby BA aka CC among other prayers listed hereunder:-
 - a. Spent.
 - b. That the consent of the biological parents be dispensed with.
 - c. The applicants be authorized to adopt BA aka CC henceforth the child be named ENW.
 - d. The Registrar General be ordered to enter the adoption order in the adoption register.
 - e. The child be considered a Kenyan citizen.
 - f. The court be pleased to make any further orders it deems necessary.
2. The application is supported by statement of the applicant sworn on September 15, 2020. The applicant stated that she is a single woman born in 1971 and no biological child. She is a teacher by profession based at [Particulars Withheld] Primary School.
3. From the Children Officer's report, the child was found abandoned on August 23, 2018 at Mau Summit and was rescued by a good samaritan. The matter was reported at Mau Summit Police Station and the child placed at the Africa Gospel Church Baby Centre, Ngata for care and protection awaiting the official committal order. The police at the Mau Summit wrote the final letter on July 9, 2019.
4. The child was freed for adoption by the Kenya Children's Home Adoption Society on October 16, 2019 vide certificate serial no. xxxx.



5. From the report, the applicant has not been married and having attained the age of 50 years she is not able to get children of her own as she has attained early menopause. From the medical report, she is physically and emotionally fit and healthy.
6. During the oral hearing the applicant stated that she is aged 50 years old, the child was placed under her care and custody on November 7, 2019 and the child turned four (4) years on August 23, 2022.
7. The Legal Guardian CW who is a sister of the applicant, stated that she is aware of her obligations as a guardian. She stated that she is an accountant working at [Particulars Withheld] Tea Factory.
8. From the reports filed, I am satisfied that the applicant has met the legal requirements for adoption.
9. Final Orders:-
 1. The child is presumed a Kenyan citizen.
 2. The applicant is allowed to adopt Baby BA aka CC.
 3. The child's name is hereby changed to ENW.
 4. The Registrar General do make appropriate entries in the Adopted Children's Register in respect of the child herein.
 5. CWM is appointed as the Legal Guardian.

JUDGMENT DELIVERED, DATED AND SIGNED VIRTUALLY AT KIAMBU THIS 24TH DAY OF NOVEMBER, 2022.

RACHEL NGETICH

JUDGE

In the Presence of:

Kinyua/Martin – Court Assistant

No Appearance by Parties

For Applicant – Absent

