



REPUBLIC OF KENYA



KENYA LAW
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**In re LN (Adoption Cause E005 of 2022)
[2022] KEHC 16600 (KLR) (20 December 2022) (Judgment)**

Neutral citation: [2022] KEHC 16600 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIAMBU
ADOPTION CAUSE E005 OF 2022
RB NGETICH, J
DECEMBER 20, 2022
IN THE MATTER OF THE CHILDREN'S ACT 2001
AND
IN THE MATTER OF LN**

IN THE MATTER OF

JNK 1ST APPLICANT

BWN 2ND APPLICANT

JUDGMENT

1. The applicants filed the originating summons dated January 28, 2022 seeking the following orders: -
 - a. That the applicants be authorized to adopt baby LN.
 - b. That the Registrar General do make appropriate entries in the Adopted Children's Register.
2. The application is supported by the joint statement of the two applicants sworn on January 28, 2022. They averred that they were married on April 21, 2017 and attached a copy of the Marriage Certificate Serial No xxxx. They are aged 58 and 57 years respectively; they further stated that their marriage was blessed with one child who died in the year 2016. They stated that they are financially stable and capable of comfortably providing good education towards securing a good future.
3. Record shows that the child was found abandoned at Kenol by a Good Samaritan and the matter reported to Lari Police Station. She was later taken to Limuru Children's home on May 19, 2015. On February 2, 2018 the child was declared free for adoption by the KKPI Adoption Society.
4. NWN was appointed guardian *ad litem* as prayed in application dated January 28, 2022.



5. During hearing, the 1st applicant confirmed that 2nd applicant B is his wife and they have no child. He stated that LN is twelve (12) years old and they have stayed with her for close to six (6) years and relates well with the family and other members. She is in grade five (5). They wish the child to be called PWN.
6. B also confirmed to the court that she is relating well with the child and that he is well behaved.
7. The child states she is called P and she is thirteen (13) years old and attending [particulars withheld] school in grade five (5). She informed the court that she is well taken care of.
8. The guardian *ad litem* in her report filed on October 6, 2022, stated that the child relates well with both parents and is quite clingy to them; that the child is very happy and the applicants love the child. The 1st applicant is an architect while 2nd applicant is a teacher and director at [particulars withheld] School.
9. The report describes the applicants as people of good moral standing and enjoy tremendous support from their families for the adoption of baby LN. The report recommends that the applicants are fit to adopt the child.
10. The Director of Children Services filed a report on September 29, 2022. The report confirms that the applicants have bonded well with the child, have full support from the family members, are stable and capable of providing for the minor. The report recommends the applicants as suitable adoptive parents of the minor.
11. I have considered reports filed herein and evidence adduced in court and find the applicants suitable parents to adopt the minor; they are financially stable and capable of providing for the minor.
12. BWK filed an affidavit dated 28/1/2022. She consents to being appointed as legal guardian and undertook to safeguard interest of the child.
13. Final orders:
 1. JNK and BWN are hereby authorized to adopt the child LN.
 2. The child's name to change to PWN.
 3. BWK is appointed as legal guardian.
 4. The guardian *ad litem* NWN is hereby discharged.
 5. The Registrar General is hereby directed to make appropriate entries in the Adopted Children's Register.

JUDGMENT DELIVERED, DATED AND SIGNED VIRTUALLY AT KIAMBU THIS 20TH DAY OF DECEMBER, 2022.

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RACHEL NGETICH

JUDGE

In the Presence of:

Kinyua/Martin – Court Assistants

Ms. Kilonzo for Applicants

Applicants – Present

