



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT KERICHO

ADOPTION CAUSE NO.1 OF 2019

GKC.....1ST APPLICANT

CJ.....2ND APPLICANT

- V E R S U S -

AKB.....RESPONDENT

JUDGMENT

1. The Applicants GKC and CJ (hereafter referred to as the applicants) filed this originating summons dated 19/2/2018 seeking the following orders:-

(i) THAT JCC (ID. NO.11xxxxxx) of Post Office Box Number 22 KIPTERE in the Republic of Kenya be appointed as Guardian Ad Litem of the BM alias BKI (CHILD)

(ii) THAT the Director, Children's Services Department investigates the Applicant's fitness or otherwise and files a report thereof.

(iii) THAT the Applicants be authorized to adopt the male child currently identified and known as BABY BM alias BK.

(iv) THAT KKB (ID NO.22xxxxxx) and GC (ID. NO.24xxxxxx) both of Office Box Number xx, KIPTERE and who are brother in-law and sister to the 2nd Applicant respectively be appointed legal guardians to take care of the interests of the minor should any misfortune befall the Applicants.

(v) THAT the Registrar does make appropriate entries in the Adopted Children's Register.

(vi) THAT the child be renamed BK.

(vii) THAT the child be declared a Kenya Citizen.

(viii) THAT the Court does issue such further orders and directions as are in the interest of Justice.

2. The Court appoints JC as guardian Ad Litem for the child BABY BM alias BK (hereafter referred to as the child).

3. The 1st Applicant is a Kenya Citizen who was aged 38 years at the time of making the Originating Summons and is currently working as a Senior Pastor at [particulars withheld] KAPKOCHEI

4. The 2nd Applicant is the wife of the 1st Applicant. She was aged 30 years at the time of filing the Originating Summons. She is a PTA Teacher at [particulars withheld] Primary School.

5. The Applicants do not have any biological children. They are both healthy with no criminal records and they have a stable income.

6. The child was born on 14/3/2017 at Nakuru. He was found abandoned by a good Samaritan at Nakuru and was taken to Nakuru Police Station where the matter was reported vide OB. No.14/5/3/2017.

7. A Committal Order was made to AGC by the children court at Nakuru vide Children Case No.xxx of 2017.

8. The child was declared free for adoption on 21/2/2018 vide certificate serial No. [Particulars Withheld].

9. He was released for placement on 6/4/2018 and the following reports have been filed in respect of the child.

(i) The Report by the Guardian Ad Litem dated 24/2/2020.

(ii) The children' Report dated 12/2/2020.

(iii) A bundle of documents from the KCH Adoption Society including the certificate that declared the child free for adoption dated 21/2/2018.

10. I have considered the Originating Summons dated 19/2/2018, I find that the two Applicants have met the threshold for adoption of the child.

11. I allow the originating summons and order as follows:-

(i) THAT the 1st and 2nd Applicants be and are hereby authorized to adopt Baby BM alias BK.

(ii) THAT the child shall henceforth be known as BK.

(iii) THAT the child shall be declared a Kenyan Citizen.

(iv) THAT the Registrar General do enter this adoption order in the adopted children Register.

(v) THAT KB and GC be and are hereby appointed legal Guardians of the child in case of incapacity by the Applicants before the child attains the age of maturity

(vi) THAT the Guardian Ad Litem be and is hereby discharged.

DELIVERED, SIGNED AND DATED AT KERICHO THIS 22ND DAY OF MARCH, 2021.

A. N. ONGERI

JUDGE