



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT NANYUKI

ADOPTION CAUSE NO 9 OF 2017 (O.S)

IN THE MATTER OF AN APPLICATION FOR AN ADOPTION ORDER

AND

IN THE MATTER OF BABY DK (THE CHILD)

DR JKM.....APPLICANT

J U D G M E N T

1. The Applicant herein, **DR JKM**, applied by **originating summons dated 20/11/2017** for an adoption order in respect to the **Child** called **DK** (to be known as **NMK**). The Child, born about 12/11/2012, was abandoned by an unknown person in the DC area of Kibera, Nairobi County.
2. Report of the abandoned child was made at **Langata District Children's Office** which arranged for the Child's admission at **New Life Home, Kilimani** in Nairobi on 11/02/2013.
3. The Child was subsequently presented before the **Children's Court, Nairobi** vide **Protection and Care Case No 205 of 2013** which on 21/06/2013 granted a **protection and care** order for 3 years. On 26/07/2013 the Child was transferred to **New Life Home, Nyeri**. The Child has never been claimed by anyone, and was duly declared available for adoption.
4. On 23/06/2014 the Child was placed in the custody and care of the Applicant who has had him continuously ever since, a period now of nearly seven (7) years.
5. The Applicant was born in 1969; she is therefore now about 52 years old. She is a highly educated scientist with a doctorate degree. She is gainfully employed with a very good income. She has some landed and movable assets.
6. The Applicant is single and has never married. She does not have any child or children borne of herself. She hopes to adopt a second, female child.
7. The Applicant was brought up in a stable rural environment together with her five siblings. Her father died when she was very young. She maintains a close and loving relationship with her mother and siblings.
8. This is a female single Applicant who seeks to adopt a male child. The Applicant has had this Child for nearly seven years now. It would not have been any different if the child had been born of her own womb. I consider it a special circumstance that the Applicant and the Child have been together for so long, especially considering that male children are said not to be popular candidates for adoption.
9. In his formative years the Child has been, and will continue to be, in a loving home and social-support environment that is eminently conducive to a wholesome up-bringing. As already seen, the Applicant has the wherewithal to give him the best start in life. This court therefore considers that his adoption by the Applicant will be in his best interest and welfare.
10. The reports by the **Children's Department, Laikipia East** (dated 03/12/2019); by the **Little Angels Network** (adoption society) (dated 08/05/2013; and by the **Guardian ad litem** (dated 20/11/2017 and supplemented by a further report dated 18/03/2021) are all in favour of the adoption order sought.
11. I will in the circumstances grant prayers 2, 3 and 4 of the originating summons dated 20/11/2017. The Applicant is hereby authorized to adopt the Child called **DK** (to be henceforth known as **NMK**). An adoption order shall so issue, and the necessary entry be made in the **Adopted Children Register** by the **Registrar-General**. It is so ordered.

DATED AND SIGNED AT NANYUKI THIS 21ST DAY OF APRIL, 2021

H P G WAWERU

JUDGE

DELIVERED AT NANYUKI THIS 22ND DAY OF APRIL 2021