



REPUBLIC OF KENYA

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REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT NAIVASHA

(CORAM: R. MWONGO, J)

ADOPTION CAUSE NO. 1 OF 2017

IN THE MATTER OF CHILDREN ACT

AND

IN THE MATTER OF THE ADOPTION OF BABY JW

RWM.....APPLICANT

AND

BABY JW.....CHILD

RECTIFICATION RULING ON ADOPTION

1. An application for mention to inform the court that the Court’s Ruling of 24th November, 2020 had an error in the date of abandonment and also omitted to indicate the date of birth of the child Baby JW herein has been made.

2. In addition, the following errors are noted for correction in the said Ruling:

At Paragraph 2 the date of abandonment is indicated to be 23rd October, 2011.

3. A correction is hereby made to paragraph 2 of the Ruling by substituting Paragraph 2 in the date of abandonment therein with the following:

“The record shows that Baby JW was found abandoned on 23rd October, 2011 in the grass at [Particulars Withheld] Estate Block xx Nairobi. The report was made vide Police Occurrence Book OB xxxx at Kamukunji Police Station by one Tabitha Wangare. On 27th February, 2012, Baby JW was committed by Court Order as a child in need of care to Mama Ngina Children’s Home under Protection Care Case No. 13 of 2012 in SRM’s Court at Nairobi.”

4. Upon perusal of the said Ruling, I also confirm that the omission of the date of birth of Baby JW is indeed a fact and was inadvertent in light of the facts that.

a. The Certificate of the Child Welfare Society No. xxxx dated 1st June, 2012 Declaring a Child Free for Adoption indicates the Date of Birth of Baby JW as “App 24th August, 2011”. That Certificate was filed in court on 3rd September, 2020.

b. The Child Welfare Society of Kenya Report Declaring a Child Available for Adoption: Abandoned Baby Girl AKA Baby J AKA Baby JW dated 19th May, 2020 Ref CWSK/AD/xxxx/F.O.xxx was filed on 3rd September, 2020.

e. In light of the above, the court hereby orders, in addition to the Final Orders at Paragraph 21 (1) to (7) in the Ruling dated 24th November 2020, the following order:

“8. That Baby JW be and is hereby deemed to have been born on 24th August, 2011 in Muthurwa, Nairobi County.”

6. Orders accordingly.

DATED AND DELIVERED IN NAIVASHA BY TELECONFERENCE THIS 23RD DAY OF SEPTEMBER, 2021

R. MWONGO

JUDGE