



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT KIAMBU

ADOPTION NO. E002 OF 2020

IN THE MATTER OF THE CHILDREN'S ACT 2001

AND

IN THE MATTER OF AN APPLICATION FOR ADOPTION OF

ABANDONED CHILD aka ABANDONED BABY BOY aka BABY V (INFANT)

BY

MWM.....1ST APPLICANT

AND

WNG.....2ND APPLICANT

JUDGMENT

1. The applicants **MWM** and **WNG** have applied by the Originating Summons dated 4th November 2020 to adopt **baby V**.
2. The baby is estimated to have been born on 27th January 2019. The baby was abandoned by unknown person on the day it is estimated he was born. The baby was rescued at *Mukuru Nyayo*, Nairobi County. The matter was reported at Industrial Area Police station and the baby was taken to Nest Children's Home. By a letter dated 30th July 2019 the Industrial Police confirmed that the Baby had not been claimed. Little Angels Network, a registered Adoption Society has declared the baby free for adoption.
3. The applicants are husband and wife; they were married in December 2011. They previously adopted another child.
4. On 27th May 2021 this court appointed **SNN** as *guardian ad litem*. The guardian knows the applicants very well. He describes them as devoted Christians who were Sunday school teachers for many years. He stated that they love children. The guardian further stated in his report that the applicants have always been hard working and responsible from their student days up to now in their professional life. They both come from stable families and have integrity.
5. Director of Children Services by the report dated 27th September 2021 stated that the baby who is now 2 years old has bonded well with the applicants. The children's officer found the baby happy, playful and healthy during the home visit.
6. In the court's view, the legal requirements under the Children's Act have been met by the applicants and the court is satisfied that the applicants are aware of the responsibility required of them in adopting the child.
7. The prayers sought therefore are in the best interest of the child hereof.

DISPOSITION

8. This Court grants the following orders:-

- a) The consent of the biological mother of the **Baby Abandoned Child aka Abandoned Baby Boy aka Baby V** is hereby dispensed with because he was abandoned at birth.

b) The applicants, **MWM** and **WNG** are hereby authorised to adopt **Baby Abandoned Child aka Abandoned Baby Boy aka Baby V** and the child shall be called **KW**.

c) **WMM** and **LNW** are hereby appointed the legal guardians of Baby **KW**.

d) Baby **KW** shall be presumed to be a Kenyan citizen by birth.

e) The **Registrar General** is hereby ordered to make appropriate entries in the Adopted Children's Register in respect to baby **KW**.

JUDGMENT DATED AND DELIVERED AT KIAMBU THIS 30TH DAY OF NOVEMBER, 2021.

MARY KASANGO

JUDGE

Coram:

Court Assistant..... Maurice

The applicants: Present

COURT

Judgment delivered virtually.

MARY KASANGO

JUDGE