



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

ADOPTION CAUSE NO. 146 OF 2018

IN THE MATTER OF THE CHILDREN ACT NO. 8 OF 2001

AND

IN THE MATTER OF BABY V alias VKN

PNW.1ST APPLICANT

VNK.2ND APPLICANT

JUDGMENT

1. The Applicants herein PNW and VNK (hereafter referred to as the 1st and 2nd Applicants) by Originating Summons dated 3.9.2018 are seeking authority to adopt V to be known as VKN (Hereafter referred to as the child).
2. The 1st and 2nd Applicants are Kenyan Citizens living at Kariobangi South.
3. They are a married couple with one biological child born on 15.4.2009.
4. The 1st Applicant is employed at [particulars withheld] while the 2nd Applicant works with [particulars withheld], an Organization that deals with projects.
5. The Applicants have attached their pay-slips, Medical Reports and Certificate of good conduct to the Supporting Affidavit.
6. The Child was found abandoned at the front gate of the Missionaries of Charity Children's Home by a Good Samaritan on 16.8.2009. He was presumed born on 5.8.2009.
7. The matter was reported to Kariobangi Police Post.
8. The child was committed to Missionaries of Charity Children's Home vide care and Protection Case No. 437 of 2010 by Nairobi Children's Court on 23.12.2010.
9. The Police gave a final report on 2.4.2010 confirming that the Child's parents could not be traced.
10. The child was declared free for adoption on 28.4.2010 vide certificate No. 438 issued by KKPI Adoption Society issued on 28.4.2011.
11. The Child was placed with the Applicants on 23.12.2011 and he has bonded well.
12. The following reports were filed in respect of the child.
 - (i) **The Director Children Department's report dated 30.10.2019.**
 - (ii) **The Guardian Ad Litem's Report dated 6.11.2019 and**
 - (iii) **The Report by K. K. P. I Adoption Societies dated 21.1.2019.**
13. All the reports are in favour of the Adoption and they recommend the adoption.

14. I have considered the Originating Summons dated 3.9.2018 together with the supporting affidavit and annexures thereto. I have also considered the reports filed herein in respect of this adoption.

15. I find that the Applicants meet the threshold for adoption of the child and I allow the Originating Summons in the following terms:

- (i) THAT the Applicants PNW and VNK be and are hereby authorized to adopt Baby V and to name him VKN.**
- (ii) THAT the Child be and is hereby presumed a Kenyan Citizen.**
- (iii) THAT the Consent of the biological parents be and is hereby dispensed with since the child was found abandoned.**
- (iv) THAT JGK and CSSS be and are hereby appointed Legal Guardians of the child in case of incapacity by the Applicants before the child attains the age of the majority**
- (v) THAT the Registrar General be and is hereby directed to enter the Adoption in the Adopted Children Register.**
- (vi) THAT the Guardian Ad Litem be and is hereby discharged.**

Orders to issue accordingly.

DELIVERED, DATED AND SIGNED IN OPEN COURT THIS 24TH DAY OF JANUARY 2020.

ASENATH ONGERI

JUDGE OF THE HIGH COURT OF KENYA, NAIROBI.