

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT KAKAMEGA

ADOPTION CAUSE NO. 7 OF 2019

IN THE MATTER OF AN APPLICATION FOR ADOPTION OF DOJ AND COJ

RULING

1. In the course of preparing the judgment in this cause, it dawned that the Originating Summons dated 20th November 2019, seeks adoption of two children, instead of one.
2. There should be only one adoption cause for each individual child. The matter as framed cannot be disposed of.
3. Consequently, I hereby direct the applicant to cause two separate causes to be opened for the two children. The matter can be mentioned thereafter for further directions, on a date to be obtained at the registry.

DATED, SIGNED AND DELIVERED IN OPEN COURT AT KAKAMEGA THIS 30TH DAY OF APRIL, 2020

W. MUSYOKA

JUDGE

ORDER

In view of the declaration of measures restricting court operations due to the COVID-19 pandemic, and in light of the directions issued by His Lordship, the Chief Justice, on 15th March 2020, this ruling/judgment has been delivered to the parties online with their consent. They have waived compliance with Order 21 rule 1 of the Civil Procedure Rules, which requires that all judgments and rulings be pronounced in open court. In permitting this course, this court has been guided by Article 159 (2) (d) of the Constitution which requires the court to eschew technicalities in delivering justice, the right of access to justice guaranteed to every person under Article 48 of the Constitution and the provisions of Section 18 of the Civil Procedure Act, Cap 21, Laws of Kenya, which impose on this court the duty to use, inter alia, suitable technology to enhance the overriding objective, which is to facilitate just, expeditious, proportionate and affordable resolution of civil disputes.

W. MUSYOKA

JUDGE