

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

ADOPTION CAUSE NO. 111 OF 2019

IN THE MATTER OF APPLICATION OF ADOPTION OF BABY NH – MINOR

FNM.....APPLICANT

RULING

1. Before me is an Originating Summons dated 5th August 2019 filed by FNM for the Adoption of BABY NH brought under Section 154, 156, 157, 158, 159, 160, 163, 164 and 170 of the Children Act 2001, seeking the following orders -

- 1. That the applicant be authorized to adopt Baby NH a minor who is to be known as FHN and the Registrar General be directed to enter this adoption into the Register for Adoptions.**
- 2. That RMM be appointed as the legal guardian of the minor.**
- 3. That the child be presumed to have been born in Kenya.**

2. Before the hearing of the application virtually, the guardian ad litem CNK and the Director of Children Services filed their respective reports regarding the proposed adoption, and on the hearing date, the guardian ad litem adopted her report in which it was recommended that the proposed adoption was in the best interests of the child.

3. Mr. Ezekiel Kimani from the Office of the Director of Children Services also adopted their report prepared on 18th November 2019 by Nancy Waswa Principal Children Officer, in which it was recommended that the adoption of Baby NH by FNM be granted.

4. This is an application for adoption of a female child by a single female applicant, which is not prohibited under the Children Act.

5. Having considered the application and the evidence and facts placed before me, I am of the view that the applicant satisfies the requirements of the law under the Children Act, 2001 and that the adoption will be in the best interests of the child who will now be able to be brought up in a family setup with a mother to take care and provide guidance to her.

6. I thus allow the application and order as follows –

- 1. The applicant FNM be and is hereby authorised to adopt baby NH a minor who will henceforth be known as FHN and the Registrar General is hereby directed to enter this Adoption in the Register of Adoption.**
- 2. RMM be and is hereby appointed as the legal guardian of the minor.**
- 3. The child is hereby presumed to have been born in Kenya.**

Dated and delivered at Nairobi this 26th day of October, 2020.

George Dulu

JUDGE

Delivered virtually due to the COVID-19 pandemic and Ministry of Health regulations.