



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA AT KERICHO**

**ADOPTION CAUSE NO.10 OF 2017**

**IN THE MATTER OF:**

**BABY TR *alias* EK *alias* EK (CHILD)**

**AND**

**IN THE APPLICATION OF APPLICATION OF ADOPTION BY:**

**DK ARAP L AND MC**

**RULING**

1. This is an application by way of Originating Summons dated 6<sup>th</sup> December 2017, for the adoption of baby TR *alias* EK *alias* EK.
2. The application was filed by the two applicants DK arap L and MC a husband and wife through their counsel Bett & Company Advocates.
3. Prayer 1 and 2 of the application have been spent, and the prayer now for this court's determination are as follows:
  1. (spent)
  2. (spent)
  3. **That the applicants be authorized to adopt the male child currently identified and known as Baby T *alias* EK (Child) *alias* EK.**
  4. **That Isaiah KS and CJ who are cousins to the applicants respectively be appointed guardians to take care of the interests of the minor should any misfortune befall the applicants.**
  5. **That the Registrar does make appropriate entries in the Adopted Children's Register.**
  6. **That the child be renamed EK.**
  7. **That the child be declared a Kenyan citizen.**
  8. **That the court does issue such further orders and directions in the interest of justice.**
4. The application was filed with a Supporting Affidavit sworn on 9<sup>th</sup> December 2017 by DK a L the first applicant herein. It was also filed with documents on the child and the applicants and a certificate declaring the child as free for adoption from Buckner Kenya Adoption Services dated 8<sup>th</sup> July 2016.
5. The two guardians EKM and FC filed their report on 21<sup>st</sup> May 2019, while the Children's Department filed their report signed by Daniel Kiba the Sub-county Children Officer dated 27<sup>th</sup> June 2018.
6. On the hearing date, Ms Rono the Children Officer who was present in court adopted the Children Department report and stated that their department made visits before making the report and found that the child had been provided with basic needs and was of good health, had freedom to play and felt at home. Mr. Mwitwa who appeared for the applicants urged this court to grant the orders sought.
7. Having considered the application, documents filed and the submissions made in court in the presence of the two applicants and the child,

I am of the view that the adoption is in the best interests of the child. I thus allow the application and grant prayers 3, 4, 5, 6 and 7 of the application.

**Dated at Kericho this 21<sup>st</sup> day of June 2019.**

**George Dulu**

**JUDGE**