



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT NAKURU

ADOPTION CAUSE NO. 20 OF 2016

IN THE MATTER OF N M N.....MINOR

AND

D N M.....1ST APPLICANT

E W G.....2ND APPLICANT

JUDGMENT

By way of a Notice of Motion dated 22nd September, 2016, the Applicants D N M and E W G through their advocates Maragia Ogaro & Company Advocates seek the following orders:

- a) Spent.
- b) Spent.
- c) Spent.
- d) **THAT** the Applicants henceforth to be authorized to adopt N M N.
- e) **THAT** the Registrar General be ordered to make the appropriate entries in the adopted Children Register in respect of N M N.

The Applicants **D N M** and **E W G** are husband and wife. They originally come from Kiambu County but later moved to Narok County where they have now settled. The 1st Applicant works for [particulars withheld] as a Senior Inspector of Roads in the Ministry of [particulars withheld] while the 2nd Applicant works as a Primary School Teacher. Their marriage was conducted under the Kikuyu Customary Laws. The couple have no biological child of their own. The Applicants have a lonely home and with an ambience that is attractive hence the desire to adopt baby **N M N**.

The 1st and 2nd Applicants made a formal application to adopt through a letter to the Child Welfare Society of Kenya dated 20th May, 2009. On 4th May, 2009 the Society through their Executive Director informed the Applicants that the Adoption Case Committee that sat on 28th April, 2009 had approved them to adopt a male child aged 2 years. On 16th August, 2009 the Applicants were taken through the Explanatory Memorandum of Adopters which they confirmed to have understood. Baby **NMK** was placed with the Applicants on the same day and they have blended so well since then. The Applicants have introduced baby **NMK** to Christianity and the minor was baptized on 7th December, 2014 under their care.

On the 16th January, 2017 the Court directed the Director of Children Services in the Ministry of Home Affairs to conduct investigations as to the suitability of the Applicants to adopt N M N and submit a report and findings to Court. The Court also appointed C W K, holder of identity card number 5548932 as the *Guardian ad Litem* of baby **NMG**.

Mr. Julius Morumbi Ngoko, the Sub-County Children Officer, Narok North made a Social Inquiry on the Applicants by visiting and interrogating them at their home in Narok County. He also conducted interviews with the child and established that he already has a strong bond with the Applicants. The Applicants have even enrolled baby NMG in both Jubilee Insurance and AON Insurance for Teachers to cater for his education and medical care. The report recommended that the Applicants are suitable persons to adopt baby **NMG**.

Upon reading the above report and satisfying myself that all the legal requirements have been adhered to, this court is satisfied that the Applicants are suitable persons to adopt Baby **NMG** and that they are financially stable and have the means to provide and care for him.

For the above reasons, the Court orders as follows;

- a) **THAT** the Applicants be and are hereby authorized to adopt N M N.
- b) **THAT** the Registrar General is hereby directed to make the appropriate entries in the adopted Children Register in respect of N M N.
- c) **THAT** costs be in the cause.

Dated and Signed at Nakuru this 14th day of June, 2018.

A. K. NDUNG'U

JUDGE