



**REPUBLIC OF KENYA**

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

**(FAMILY DIVISION)**

**ADOPTION CAUSE NO. 21 OF 2017**

**IN THE MATTER OF AN APPLICATION FOR ADOPTION OF BABY I B A**

**JUDGEMENT**

1. The applicant, S M A, is a Kenyan citizen. She seeks to adopt Baby I B N. Her Originating Summons is dated 26<sup>th</sup> April 2017.
2. I have scrupulously perused through the record before me, and I have not come across any original documents relating to the child to be adopted. There are no original records from the Keroka Police Station where report of the alleged abandonment was made. I have not encountered any original records from the offices of the Children's Department with regard to what that office did with the child after the matter of her abandonment was brought to their attention. There is no record of any court orders having been made by a Children's Court with relation to the care and protection of the child, prior to her being freed for adoption, and relating to the institution, if any, where the child was committed by the Children's Court for care and protection.
3. There is insufficient material to establish that the said child had been abandoned. I am not satisfied that there is material upon which I can grant the orders sought. I shall accordingly dismiss the Original Summons dated 26<sup>th</sup> April 2017.

**DATED, SIGNED and DELIVERED at NAIROBI this 1<sup>ST</sup> DAY OF AUGUST, 2017.**

**W. MUSYOKA**

**JUDGE**