



REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT NAKURU
ADOPTION CAUSE NO. 27 OF 2013
IN THE MATTER OF JM
a.k.a. LKT.....MINOR
AND
SKT
LCT.....APPLICANTS

RULING

The Application is brought by way of Originating Summons and is dated the 12th day of January, 2014. The Applicants **SKT and LCT** through their advocate seek the following orders:

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The consent of the biological parents of the minor, **JM** a.k.a **LKT** be dispensed with since the child was abandoned soon after birth who to date has unclaimed and efforts to trace the parents proved futile.

That the Applicants be authorised to adopt (minor) **JM** the child henceforth be called **LKT**

That the Registrar-General do make the appropriate entries in the adopted children's register in respect of the minor herein.

That the court does issue such orders as may be necessary in the best interest of the child.

That the costs be in the cause.

The Applicants **SKT** and **LCT** (hereinafter the applicants) are husband and wife. They were married under the Kalenjin Customary Law in 1977. They were blessed with three (3) biological daughters who are all working adults and one son (now deceased) hence the desire to have a male child. **SKT** is a farmer, having retired from the Kenya Police Force while **LCT** does business.

Baby **JM a.k.a. LKT** was placed with the Applicants where he has been living since then.

The Baby **JM a.k.a. LKT** was presumed born on 18th August, 2006. He was abandoned on 19th August,

2006 at Naivasha District Hospital. The hospital records show that the mother was EN.

The matter was reported at Naivasha Police Station and was recorded in the Occurance Book vide No.24/24/7/08. On 21th August, 2006 the matter was reported at the Naivasha District Children's Office. The minor was thereafter, on 5th October, 2006 referred to African Gospel Church Baby Center, Nakuru for care and protection.

On 1st November vide Nakuru Children's Court P & C Case No.506 of 2006, the minor was officially committed to Africa Gospel Church Baby Centre-Nakuru. Both the Naivasha Police Station and Naivasha Children's Officer through their letters dated 24th July and 1st September, 2008 respectively, asserted that based on their investigations, no one has come forward to claim the minor and attempt to trace his kindred have been futile

On the 20th May, 2014 County Director, Children's Services, Office of the Deputy President, Ministry of Gender and Youth Affairs was directed by the court to investigate the Applicants' fitness to adopt and file a report. On the same date, the court also appointed PKK of P. O. Box [Particulars Withheld] as *Guardian ad Litem* of baby **JM a.k.a. LKT**

The County Director, Children's Services after conducting investigations by visiting and interrogating the Applicants filed a favourable report dated 20th November, 2015 in court on the Applicants' suitability to adopt Baby **JM a.k.a. LKT**. A Certificate of declaring a child free for adoption Serial [Particulars Withheld] dated 17th September, 2008 was also filed.

Upon reading the above report and satisfying myself that all the legal requirements have been adhered to and also after observing the demeanor of the applicants and that of the child at the hearing hereof, this court is satisfied that the applicants are suitable persons to adopt Baby **JM a.k.a. LKT** and that they have a good home, are financially stable and have the means to provide and care for him.

For the above reasons, the court hereby orders as follow:

The consent of the biological parents of the minor, **JM a.k.a LKT** be dispensed with since the child was abandoned soon after birth who to date is unclaimed and efforts to trace the parents proved futile.

That the Applicants be authorised to adopt (minor) **JM** the child henceforth be called **LKT**.

That the Registrar-General do make the appropriate entries in the adopted children's register in respect of the minor herein (**LKT**).

Orders Accordingly.

Dated and Signed at Nakuru this 8th day of March, 2016

A. K. NDUNG'U

JUDGE