



**REPUBLIC OF KENYA**

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

**ADOPTION CAUSE NO. 316 OF 2013**

**IN THE MATTER OF ADOPTION OF R H (THE BABY)**

**And**

**IN THE MATTER OF THE APPLICATION FOR ADOPTION**

**BY**

**S N A & S A A APPLICANTS)**

**JUDGMENT**

The applicants **S N A** and **S A A** met in 2001 at Nairobi Pentecostal Church, Valley Road. They solemnized their marriage on 22<sup>nd</sup> April 2006. The applicants desire to be parents and have not been blessed with any biological children. They seek to be authorised to adopt baby **R H** and upon making the adoption the child be called **D T N** and that **J M O** be appointed the legal Guardian of the child.

Baby **R H** who was estimated to have been born on 25<sup>th</sup> February 2012, was found abandoned in Katwekera area of Kibera on 13<sup>th</sup> April 2012 and rescued by a Good Samaritan who took him to Kenyatta national Hospital. The incident was recorded at Kibera Chief's Camp, Kenyatta National Hospital Police Post and Kilimani Police Station vide occurrence book number 5/13/14/2012, 10/14/04/2012 and 36/14/4/2012. The baby was admitted at Kenyatta National Hospital for respite care and was committed to New Life Home Trust Nairobi on 24/5/2012 by the Children's Court at Nairobi on 12<sup>th</sup> October 2012 vide protection and Care Case No. 444 of 2012.

Baby **R H** was declared free for adoption by Little Angels Network Adoption Society on 7<sup>th</sup> November 2012, vide certificate serial number *[particulars withheld]* declaring the child free for adoption was issued. The Child was released into the custody of the applicants **Mr. S N A** and **Mrs. S A O**. The report from the adoption agency was filed on the 24<sup>th</sup> January 2014.

Applicants have fulfilled all legal requirements relating to the adoption of the child as prescribed in the Childrens Act 2001. The Director of Children's Services also filed a report as did the guardian ad litem, **J M O** Both reports were favourable and recommended the adoption of the child by the applicants.

The Adoption Society, guardian ad litem and the Director of Children's Services have all made home visits and established that the applicants are both financially and emotionally capable to provide for the up keep and education of the child.

After a careful assessment of the reports filed herein and from the observation of the interaction of the Applicants and the child during the hearing, this court has formed the opinion that it would be in the best interest of the child to be adopted by the Applicants. The application is therefore allowed. The Applicants **Mr. S N A** and **Mrs. S A O** are hereby allowed to adopt baby **R H**. He shall henceforth be known as **D T N**. I direct the Registrar General to enter this order in the adoption register. The child was born in Kenya and is therefore a Kenyan by birth and is entitled to all the rights that accrue to Kenyan Citizens under the Kenya Constitution 2010 and the Kenya citizenship and immigration Act. I hereby discharge the Guardian ad litem.

It is so ordered.

Dated signed and delivered this 23<sup>rd</sup>Day of **January 2015**.

**R. E OUGO**

**JUDGE**

In the Presence of:

.....**Applicants.**

.....**Court Clerk.**