

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

ADOPTION CAUSE NO.139 OF 2013

IN THE MATTER OF THE CHILDREN ACT NUMBER 8 OF 2001

AND

IN THE MATTER OF AN APPLICATION FOR ADOPTION OF baby S M W (A CHILD)

S G M1ST APPLICANT

S N M.....2ND APPLICANT

JUDGMENT

1. The applicants **S G M** and **S N M** are seeking to be authorized to adopt baby and if the said application is allowed the said baby to be known as **S M W G**. The applicants are 41 and 40 years respectively. They got married on 1/8/1992 and have not been blessed with a biological child of their own. They received the child into their care and possession on 1st October 2007.
2. The child in this matter was born on 6/05/2007. The child was reported abandoned at [particulars withheld]. The matter was reported at Embakasi Police station via OB Number 12/7/2007. The child was taken to Kenyatta National Hospital for medical care and later on admitted at Hope's Baby center on 20/6/2008 on 29th September 2008. The child was placed under mandatory bonding with the applicants on 1st October 2007 through the foster care agreement dated the same day.
3. The child was declared free for adoption by the Child welfare Society of Kenya on 2nd July 2010 and issued with a certificate no. [particulars withheld]. The Department of Children filed its report on 3rd July 2015. The Guardian Ad litem report was filed on 30th July 2015. Both reports are favorable and recommend that the applicants are suitable to adopt. The reports show that the applicants are financially capable to provide for baby S's needs. The reports also show that baby S has bonded well with the applicants.
4. It is evident that the applicants have fulfilled all the legal requirements relating to the adoption of the child. This court is satisfied that the applicants are qualified and able to take care of the child. They are financially stable and capable to provide for the upkeep and education of the child.
5. This court finds that it would be in the best interest of the child to be adopted by the applicants. I allow the application for adoption. **S G M** and **S N M** are hereby allowed to adopt **Baby S**. She shall henceforth be known as **S M W G**. **S M N** shall be the legal Guardian of the child should misfortune befall the applicants. I direct the Registrar General to enter this order in the adoption register. The child was born in Kenya, is therefore a Kenyan by birth, and is entitled 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 order.

Dated, signed and delivered this 23rd Day of *October* 2015.

R. E. OUGO

JUDGE

In the presence of:

.....Applicants

Ms. Charity Court Clerk