

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT MILIMANI

ADOPTION CAUSE NO. 85 OF 2012 (OS)

AND

IN THE MATTER OF THE CHILDREN'S ACT

(NO. 8 OF 2001)

AND

IN THE MATTER OF BABY K H (D) also known as A C O

RULING

1. On 27th June 2013, I delivered a judgement where I ordered the guardian *ad litem* appointed in the matter to file her report in court within a specified period of time.
2. The said report has now been brought to my attention. It is dated 1st September 2012 and it was filed in court on 4th September 2012. Like the reports by the Little Angels Network and the Director of Children Services, the said report recommends the proposed adoption
3. I hereby therefore allow the Originating Summons dated 20th April 2012, and allow C E B and M N B to adopt Baby K H (D). The said child shall hereafter be known as D I B[minor]. I appoint B W K and P K legal guardians of the child in the event of misfortune befalling the applicants
4. The record before me shows that the child was found abandoned at Kisumu within Kenya, it shall therefore be presumed that he was born Kenyan of Kenyan parents and he shall therefore be presumed to be Kenyan by birth. He is entitled to all the rights that accrue to Kenyan citizens by birth by virtue of the provisions of the Constitution of Kenya and the Kenya Citizenship and Immigration Act.

DATED, SIGNED and DELIVERED at NAIROBI this 21st DAY OF March, 2014.

W. MUSYOKA

JUDGE