

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT NYERI
ADOPTION CAUSE NO. OF 6 OF 2011
IN THE MATTER OF BABY CMW (CHILD)

AND

**IN THE MATTER OF AN APPLICATION FOR ADOPTION ORDER BY M/S
CWNAPPLICANT**

RULING

1. By an originating summons dated 5th September 2011 the applicant moved the court to be authorised to adopt Baby C.K. Alias C.M.W. and that the court do dispense with the mother's consent since the child was abandoned in a house in Maua.
2. The application was supported by the affidavit of CWN to which she deponed that the child was received into her care and possession on 9th March 2011 and she has been continuously in her care and possession.
3. At the hearing herein the court received oral evidence from TITUS KIBET a social worker with KKPI Adoption Society in which he stated that they have not made any follow up since the child was placed under the custody of the applicant.
4. It should be noted that once all the legal requirement have been met this court is obliged under the provision of section 4(2) of the Children to consider whether the adoption order prayed for will serve the best interest of the child and since this was abandoned it is clear that the best interest will be served by being adopted by the applicant.
5. I however must point out that the application for adoption should be made immediately the child is placed in the custody of the applicant so that if the court finds out that it is not in the best interest to grant the order the lives of the applicant and the subject are not disrupted.
6. I would thereof authorise the adopt and grant prayers 2, 3 and 4 of the summons herein.
7. Dated and delivered at Nyeri this 4th day of April 2014.

J.WAKIAGA

JUDGE

Court: Ruling is delivered in open court in the absence of Ms Kabethi and the applicant.

J. WAKIAGA

JUDGE

1.