



**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA**  
**AT NAIROBI (NAIROBI LAW COURTS)**

**Adoption Case 148 of 2005**

**(IN THE MATTER OF ADOPTION OF INFANTS J W AND N W)**

**JUDGEMENT**

The Applicants herein have filed two applications under Section 154(1), 162(1) and 164 to seek order of adoption of two infants namely N W and J W.

The matter is of International Adoption and I was from the start very cautious in hearing and determining the same.

The applicants from their own statements and from the reports filed by the Children's Department have satisfied me that they have complied with statutory requirements to enable them file the applications.

I had moreover directed the Officer of Children's Department to get verification or authenticity of the documents filed by applicants in respect of their background, financial capacity as well as report from Adoption Committee of Republic of Italy. The required verifications were given.

The Applicants were furthermore queried by me at the time of hearing of the Originating summons. I have seen their demeanours as well as their bonding with the two infants. The infants looked contented, healthy and at home with the Applicants.

Going back to the background of the infants it is sufficiently established that they were found abandoned and were rescued by a good Samaritan and were eventually committed to Bungoma Children's Home on 1<sup>st</sup> September, 2004. The Child Welfare Society of Kenya the then Registered Adoption Society gave the infants into possession of the applicants on 28<sup>th</sup> April, 2005 and since then they are tended by the Applicants.

The Applicants are married since 1994 and as per medical report attached, the couple is unlikely to bear their own biological Children. The family members are supporting their action of adopting the two infants.

I also received solace by getting informed that the Adoption Committee in Italy shall supervise the Applicants' care to the infants while in Italy and one will be sending their reports to the Associated Committee in Kenya which in turn shall forward the same to the Children's Department and the Court.

Both Adoption Society as well as Children's Department unequivocally recommended the adoptions of these two minors.

In short, I have no adverse remarks to make against the suitability and capacity of these two applicants to adopt the two infants N W and J W. I further add that I am of a view and am so satisfied that their adoptions shall be in their interest and welfare.

I therefore grant the applicants orders to adopt the two infants namely N W and J W.

As they have not suggested their new names to be given, I shall make further order to that effect after delivery of this judgment.

Dated and signed at Nairobi this 21<sup>st</sup> January, 2006.

**K.H. RAWAL**

**JUDGE**

**21.1.06**