



**ADOPTION CAUSE NO.186 OF 2011**

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**IN THE MATTER OF CHILDREN ACT NO.8 OF 2001**

**AND**

**IN THE MATTER OF E.C.C**

**JUDGEMENT**

The Applicants, **M.K.N** and **E.E.K**, seek pursuant to Section 154 of the Children Act No.8 of 2001 authority of this court to adopt the child known as **E.C.C**.

The Applicants are married to each other under the Marriage Act, Cap 150. The male Applicant, aged 52 years, is an Agronomist while the female Applicant aged 51 years is a businesswoman. They are unable to have a biological child of their own due to infertility on the part of the female Applicant. In 2006, they adopted a male child called **I** and they now wish to adopt a female child to give their said son a sister. They have good income and are capable of raising two children and educating them. The Applicants are Christians and both come from backgrounds in which they grew up with love of parents and families.

The reports filed by the **Directors of Children Services** and the **Guardian ad litem, G.M.K** and **KKPI Adoption Society** recommend the proposed adoption.

The child was born on 10.1.2008 and was abandoned by the biological mother. The Applicants received the child on 22.6.2011 and have cared for her since. The biological father of the child is unknown.

I am satisfied that the Applicants have met the requirements set by the Children Act No.8 of 2001 to adopt the child. I am also satisfied that the proposed adoption is in the best interest of the child. I dispense with the consents of the biological parents as they cannot be found.

I allow the Application and grant the Applicants authority to adopt the child.

I make the following orders:

1. The Applicants, **M.K.N** and **E.E.K**, are hereby authorized to adopt the child known as **BABY E.C.C**.
2. The child shall henceforth be known as **L.N.W**.
3. The date of birth of LNW is 10<sup>th</sup> January 2008 and her place of birth is Nairobi, Kenya.
4. The consents of the child's biological parents are hereby dispensed with.
5. The Legal Guardian of the child shall be **T.W.W**.
6. The Registrar General shall make an entry of this Adoption in the Adopted Children Register in the prescribed form.
7. For the avoidance of doubt, the rights and duties of the natural parents of the child are hereby extinguished and all the parental rights, duties, obligations and liabilities of the child, LNW, now vest in and shall be exercisable by and enforceable against the Applicants as the adopting parents as if the child were born in wedlock to the adopting parents and the child, to all intents and purposes, now stands to the

adopting parents as a child born in wedlock and both the adopting parents shall henceforth be the lawful father and mother of the child.

**Dated at Milimani Law Courts, Nairobi, this 8<sup>th</sup> day of March 2012.**

**G.B.M. KARIUKI, SC**  
**JUDGE**  
**COUNSEL APPEARING**

*Mr. M. Kinyanjui Advocate for the Applicants*

*Mr. Kugwa – Court Clerk*