

REPUBLIC OF KENYA

High Court at Machakos

Adoption Cause 2 of 2011

IN THE MATTER OF BABY L (THE CHILD)

AND ON THE APPLICATION FOR AN ADOPTION ORDER BY

1. DKK

2. CML APPLICANTS

RULING

I had made a preliminary ruling on this matter on 16th August 2012. I reserved the final decision herein because, at that time, I considered that the representative of the Director of Children Services, and the guardian *ad litem* should attend court and present their reports.

The matter came up again in court on 22nd October 2012. On that day, I was informed by **Mrs Kalinga** for the applicants, that the Guardian *ad litem* was still unwell and unable to travel to court. The Machakos Children's Officer, **Beatrice Mandiaba** was however present. She represented the report signed by the Kitui District Children Officer **Francis Kyalo**. The Children Officer confirmed that the applicants were taking good care of the child, who was attending school. She adopted the report of the Kitui Children Officer, which I have perused. She urged that the adoption of the child be granted to the applicants as requested.

On my part, having considered the facts placed before me, am of the view that IT will be in the best interests of the child to grant the adoption orders. It will give this otherwise abandoned child an opportunity to grow up in a family with caring and loving parents.

Consequently, I allow the application dated 10th January 2011 and order as follows:-

- 1. I dispense with the requirement for parental consent.**
- 2. The applicants be and are hereby authorized to adopt the child L to be known as EMK**
- 3. The Registrar General will enter this adoption in the register of adopted children in the prescribed manner.**

It is so ordered.

Dated and delivered at Machakos this 20th day of **November** 2012.

George Dulu
Judge

In presence of:-

N/A for parties

Nyalo – Court clerk