



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT NAIROBI

ADOPTION CAUSE NO.90 OF 2010 (O. S.)

IN THE MATTER OF THE CHILDREN ACT, 2001

AND

IN THE MATTER OF W.N. a.k.a.– MINOR

S.N.K.....1ST APPLICANT
S.G.M.....2ND APPLICANT

J U D G M E N T

1. The above named Applicants seek orders of adoption of a child under Sections 154, of the Children's Act, No.8 of 2001, and in the Chamber Summons dated 24th June 2011, they specifically seek orders that one, E.W.T. , be appointed Guardian ad Litem.
2. On 24th September 2010, Nambuye J. appointed the said E.W.T. as Guardian ad Litem and a report by the Director of the Children's Department in the Ministry of Gender, Children and Social Development was filed on 27th April 2011 and the adoption is recommended. I am now required to determine whether the Applicants should be granted orders to adopt the child, subject of these proceedings and in doing so, I note as follows;
3. The child was born to W.N.N on 31st October 2006 at Pumwani Hospital and since she was unable to take care of her, she put her up for adoption. She gave consent, initially, on 31st October 2006 and later a final consent on 13th December 2006. The child was later placed in foster care at Grace Children's Home.
4. At the hearing of the Summons, Mr. Oduma of the Child Welfare Society confirmed that by a Report riled on 14th July 2010, the child was free to be adopted and a certificate to that effect was filed in court on the same day.
5. With the above background in mind, and noting that the child's biological parents are unable to take care of her and the Applicants suitability to do so having been established, it is in the child's best interest that the order of adoption be granted and I so order as prayed in the Summons dated 24th June 2011.
6. In the event, I will order that;

- (i) S.N.K and S.G.M. be allowed to adopt the child.
 - (ii) The child should be known by the names, M.N.G.,
 - (iii) The Registrar General should make the appropriate entry in the Adopted Children's Register.
 - (iv) The Guardian ad Litem is discharged.
 - (v) Costs will be in the Cause.
7. Orders accordingly.

DELIVERED, DATED AND SIGNED AT NAIROBI THIS 22ND DAY OF JULY, 2011

I. LENAOLA

JUDGE

CORAM

I. LENAOLA – JUDGE

Court Clerk – David

Ms Tongoi for Applicants

ORDER

Judgment duly read.

I. LENAOLA

JUDGE