



REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT NAIROBI

ADOPTION CAUSE NO.51 OF 2010
IN THE MATTER OF THE CHILDREN ACT, 2001
AND
IN THE MATTER OF BABY C.K – MINOR

N.L.

P.....

.....1ST APPLICANT

A.

N.K.....

.....2ND APPLICANT

J U D G M E N T

1. The Originating Summons dated 26th April 2010 is premised on the provisions of Sections 157 and 160 of the Children Act, No.8 of 2001 and in it, the Applicants seek orders that one, S.T.L, be appointed Guardian ad litem and that the Director – Children’s Department, Office of the Vice president, Ministry of home Affairs do file a report on the Applicants’ fitness to adopt the child, Baby C.K (*hereinafter “the child”*).

2. Nambuye J. dispensed with the issue of Guardian ad litem when she appointed S.T.L aforesaid as Guardian ad litem and the report by the Director of the Children’s Department in the Ministry of Gender, Children and Social Development was filed on 7th February 2011 and all that is left for me to do is 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 one C.K on 21st February 2009 at Rift Valley General Hospital but the mother abandoned the baby soon thereafter and was never traced. The baby was later taken to New Life Home Trust for care and protection.

4. The Little Angels Network by a Report dated 5th January 2010 have confirmed that the child was free for adoption under Section 156(1) of the Children's Act and a certificate to that effect was filed in court on 3rd June 2011.

5. The Report dated 1st February 2011 filed by the Director of Children's Services also recommends that final adoption order should be granted in favour of the Applicants.

6. With the above background in mind, and noting that the Applicants have a sound parental background and their suitability as adoptive parents having been established, it is in the child's best interest that the order of adoption should be granted and I so order as prayed in the Summons dated 26th April 2010.

7. In the event, I will order that;

(i) N.L.P and A.N.K be granted orders to adopt the child, Christine Koima.

(ii) The child should be known by the names, P.N.P.

(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.

8. Orders accordingly.

DELIVERED, DATED AND SIGNED AT NAIROBI THIS 8TH DAY OF JULY, 2011

I. LENAOLA

JUDGE

CORAM

- I. LENAOLA – JUDGE**
David – Court Clerk
Mr. Wachira for Applicants
Applicants present

ORDER

Judgment duly read.

- I. LENAOLA**

JUDGE