



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

FAMILY DIVISION

ADOPTION CAUSE NO.66 OF 2011

IN THE MATTER OF AN APPLICATION FOR ADOPTION OF J.W (THE CHILD)

AND

J.M.M.....1ST APPLICANT

E.G.M.....2ND APPLICANT

R U L I N G

The Applicants herein are husband and wife having tied the knot in the month of June 1995. They have moved this court vide the notice of motion dated 11th May 2011 for orders inter alia that they be authorized to adopt baby J.W who they thereafter propose to name J.N.M. They also pray that the consent of the said child's mother be dispensed with as she cannot be found; and lastly that the Registrar-General be ordered to make the appropriate entries in the Adopted Children's Register.

The relevant institutions have filed their reports on the suitability or otherwise of the couple. The court appointed Guardian ad litem has also filed her report as expected by the court. All 3 reports are positive on the suitability of the couple to adopt and recommend final orders of adoption. I have read carefully all these reports and the several annexures thereto. The couple has a strong religious background. The adoptive father is actually said to be a Musical Director and is also involved in establishing other new churches. The mother works for a Church. I have seen her evidence of employment and can confirm that she has a stable job and thus a stable source of income.

I have seen the certificate from Little Angels Network confirming that the baby is free for adoption. I have also confirmed from the annexures that the couple has lived with the said child for almost ten years now. This in itself is a clear indication that they have been able to nurture and take good care of the child. I am satisfied from the police final report that the baby's mother cannot be found and so her consent is hereby dispensed with.

I am persuaded that the couple will be in a position to continue taking good care of the child physically, materially and also spiritually. I have no sufficient reason to deny them their prayers. This adoption will be in the best interest of the child.

Accordingly, I allow the summons dated 11th May 2011 and grant prayers 3, 4 and 5 as prayed.

Delivered, signed and dated at Nairobi this 18th day of November, 2011.

**W. KARANJA
JUDGE**