



**REPUBLIC OF KENYA  
IN THE HIGH COURT OF KENYA  
AT NAIROBI (NAIROBI LAW COURTS)**

**Adoption Cause 56 of 2009**

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

**J U D G M E N T**

Before me is a an Originating Summons dated 29<sup>th</sup> April, 2009 filed by M/S Rautta & Company advocates for the applicants named as **L.M.K** and **C.M.K**. The application was filed under the Children's Act (**No. 8 of 2001**). It is for the adoption of a child known as **BABY B.O aka BABY R.K**. The first two prayers in the application have been spent.

The application was filed with a **STATEMENT** dated 29<sup>th</sup> April, 2009 which gives the facts and background information on the applicants, the child and the circumstances of the application for adoption. Also filed was an **AFFIDAVIT** sworn on 29<sup>th</sup> April, 2009. Documents relating to the proposed guardian ad Litem were also filed. Also filed were reports from the police.

On 19<sup>th</sup> June, 2009, the court appointed the guardian ad litem **E.K**. The guardian ad litem, the adoption society Kenya Children's Home and the Director of Children Services filed their reports. On the hearing date Ms. Kimenyi for the applicants addressed me. The guardian ad litem and Mr. Peter Ndotono from the adoption society addressed me. Mr. Edwin Njuga for the Director of Children Services addressed me.

From the facts and evidence placed before me, I am of the view that the adoption is in the best interests of the child. All the reports filed recommend the adoption. On my part, I am convinced that this adoption will give this otherwise abandoned child an opportunity to grow up in a family with love, care and guidance.

Consequently, and for the above reasons, I order as follows-

- 1. The applicants be and are hereby authorized to adopt the child currently identified and known as BABY B. O aka BABY R.K, who will on this adoption be known as M.M.K.**
- 2. The consent of the biological parents is hereby dispensed with.**
- 3. I direct the Registrar General to make the appropriate entries of this adoption in the Adopted Children Register.**

It is so ordered.

Dated and delivered at Nairobi this 26<sup>th</sup> day of February, 2010.

**In the presence of-**

Ms. Njagi holding brief for Ms. Kimenyi for the applicants  
David Mutisya Court clerk.

**George Dulu**  
**Judge.**

**In the presence of-**

Ms Njagi holding brief for Ms. Kimenyi for applicants  
David Mutisya – court clerk.