



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

Adoption Cause 71 of 2006

IN THE MATTER OF ADOPTION OF RM – BABY

JUDGMENT

The Applicants herein were married on 26th September, 1997 under the Marriage Act (Cap.150). They are born on 19th November, 1967 and 1972, respectively.

The first Applicant is an Architect by profession and is an Associate of Lorian Developers Ltd and Ark Scan Associates. The 2nd Applicant is a Director of a Tassel Kindergarten and their joint monthly income is around Shs.80,000. They have three biological children aged 13, 7 and 6 years. The last two are female children. They are happy and mature couple engaging in dialogue on all family matters including the present cause. They have thought over before deciding to adopt the child who will be their fourth son and have understood and accepted his rights as a son including right to inherit.

Their motive to apply for the adoption is to give a family's care and warmth to a needy child.

The child before me was abandoned by his unknown parents in a house near kidfarmaco Estate in Kikuyu on 26th April, 2007. He was taken to kikuyu P.S. by a good Samaritan and the event was recorded on 27th April, 2007 in their O.B. No.14/27/4/07.

The child was admitted to the Abandoned Baby Centre on 28th April, 2007 and thereafter on 10th September, 2007 he was committed to the care and protection of the said Centre by Children Court, Nairobi vide P & C. No.188/07.

A foster care agreement was executed with the said Home by the Applicants on 30th November, 2007. The child's parents are not traced and this fact is confirmed by a letter dated 30th April, 2008 from the Kikuyu Police Station. He has been declared free for adoption vide certificate No.000316 from the Little Angels Networks dated 21st May, 2008.

The report from the Director of Child Welfare Society and that from the Little Angels Network, are positive in all respect and they have recommended the adoption, unconditionally.

The guardian ad litem also is of the same view.

I have also seen the Applicants with the child and found that the baby was comfortable, happy and confident in the lap of 1st Applicant.

Considering the facts before this court, I do agree that the grant of order of adoption shall be in best interest of the child who shall have a full family to take care of him.

The Applicants have ascertained that they are aware of their obligations towards the child and his rights over them including right to inherit.

I thus order that the applicants be allowed to adopt the child who will be named and known as MRMM whose birth date shall be recorded as 26th April, 2007.

The said orders be entered in the Adoption Register.

The Guardian ad litem is now discharged.

Dated and signed at Nairobi this 25th May, 2009.

K. H. RAWAL

JUDGE

25.5.09