



IN THE MATTER OF ADOPTION OF SSK – INFANT

JUDGMENT

The facts of this cause are simple.

The Applicant, who is single, is the maternal aunt of the child who was orphaned when he was about four years of age on 4th December, 1998. Since then, he is with the Applicant and is being looked after by the Applicant as her second child. She has one biological son who is now 24 years of age. He regards the child as his own brother and has consented wholeheartedly to the proposal of the adoption.

The Applicant is 55 years of age and is physically and mentally in good health. She runs a successful business of ATP Marketing Services Ltd. And Futurecom Institute of Professional Studies.

The child, since his social acceptance by the Applicant's family, has been declared free for adoption. The child also has not known any other mother since he was orphaned.

In the premises, I shall, without hesitation use my discretion under Section 158 (2)(b) of the Children Act and allow the Applicant to file this petition.

Furthermore, I have carefully considered the statement in the originating summons, the reports from:

(a) The Director of Children Services,

(b) The child Welfare Society of Kenya a registered Adoption Society and

(c) The Guardian ad litem.

They all have placed before me facts that help me to find, which I hereby do, that the Applicant is a fit person to apply for the adoption of the child and that the order of adoption shall be in the best interest of the child.

In the premises, I authorize the Applicant to adopt the child to be known as His birth date be recorded as 24th January, 1997.

I further direct that the above order be recorded in the Adoption Register.

I also discharge the Guardian ad litem once I have given the above orders.

Dated, signed and delivered at Nairobi, this 12th day of June, 2009.

K.H. RAWAL

JUDGE

12.6.09