



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA**

**AT NAIROBI (NAIROBI LAW COURTS)**

**Adoption Cause 92 of 2008**

**IN THE MATTER OF K.W**

**ALIAS BABY OPD..... THE CHILD**

**S.M.G ..... 1<sup>ST</sup> APPLICANT**

**H.M. W.M..... 2<sup>ND</sup> APPLICANT**

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

Before me is an Originating Summons dated 8<sup>th</sup> August, 2008 filed by M/s Musyimi & Company advocates for the applicants **S. M.G** and **H.M.W.M** – in respect of **K.W** alias **BABY OPD**. It seeks a number of orders, two of which have been spent. The substantive prayer for my decision now is a prayer for the applicants to adopt the child.

The applicants are a married couple. They are Kenyans of African descent. The child is an abandoned child. The child has been declared free for adoption by Little Angels Network, an adoption society.

The guardian ad litem appointed by the court M.W.N recommends the adoption. The Director of Children Services in a report dated 7<sup>th</sup> January, 2009 also recommends the adoption.

Having considered the facts of the case presented to me and the reports filed, I am of the view that the proposed adoption will be in the best interests of the child. It will enable this otherwise abandoned child grow up in a family with care and guidance.

Consequently, I order as follows-

- 1. The applicants be and are hereby authorized to adopt K.W alias BABY OPD to be known as K.W. M.***
- 2. The consent of the biological parents is hereby dispensed with.***
- 3. I direct the Registrar General to enter this adoption in the adopted children register.***

Dated and delivered at Nairobi this 20<sup>th</sup> day of November, 2009.

**George Dulu**

**Judge.**