

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT MOMBASA

Adoption Case 13 of 2006 (O.S)

ORIGINATING SUMMONS ON APPLICATION FOR AN ADOPTION ORDER

RULING

RLD and **JND** (the Applicants) are husband and wife who married on the 24th July 1987. **RLD** is a British citizen who is resident in Kenya for now over 20 years. **JND** is a Kenyan. Having not resided in England for three years continuously she is not yet a British national. They have sought this court's authority to adopt **SJ**(the child), a niece to J. The child's mother, **JMA**, is a twin sister of J.

Since her birth on 7th October 2000 the child has been living with the Applicants. The child's mother is now and was even at the time of the child's birth not married. She is unemployed and lives and is supported with the Applicants.

The Applicants wish to adopt the child and ensure that her future "is well shaped, and that she grows up to be a responsible and independent member of society." Though they have their own two children they have financial means of bringing up and educating the child. **RLD** is the Managing Director of Fastrack Logistics Limited which has its registered office at Leslander House along Dar-es-salaam Road in Mombasa. **JND** is a co-director in that company.

Besides giving her consent to the adoption in writing, **JMA** the mother of the child appeared before me and confirmed that she understands the effect of an adoption order if issued and consents to the adoption. **CC**, the *guardian ad litem*, recommends the Applicants as morally fit to adopt the child.

Having considered all this factors I am satisfied that it is in the interest of the child that the Applicants are authorized to adopt her. I accordingly grant the Applicants plea and order that **RLD** and **JND** are hereby authorized to adopt the child **SJ**. The child shall henceforth be known as **SJD**. I direct the Registrar General to make a note of this adoption in the Adopted Children's Register. I also direct the Registrar of Births and Deaths to issue the child with a fresh Birth Certificate in her new names of **SJD**.

DATED and delivered this 17th day of January 2008.

D.K. MARAGA

JUDGE