



**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA AT NAIROBI**  
**(FAMILY DIVISION)**  
**Adoption Cause 53 of 2004**  
**IN THE MATTER OF C. N. (MINOR)**

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

The Applicant in this Adoption Cause is a single applicant, a female aged 45 years and a Banker by profession.

The child sought to be adopted is a female child born on 18th August, 2002 and was found abandoned by the road side at B R, K Area, the child was committed to the T B house by the the Senior Resident Magistrate vide – Children’s Court Protection and care No. 31 of 2003 dated 20th February, 2003. Eventually the child was placed under the foster care of the Applicant on 3rd March, 2003 and she has remained under her continuous care and control.

According to the report by the child welfare society, nobody has ever turned up to claim the child; and they therefore declared her free for adoption under Section 156(1) of the Children Act 2001.

I am satisfied that the biological parents or relatives of the child cannot be traced and I hereby dispense with their content. The Applicant is a Banker by profession. She has a steady job and an income that with adequately meet the needs of the child. She has never been married and due to medical reasons, she is unable to have her own biological children. After careful consideration and soul searching she has opted to adopt a child in order to satisfy her desire of raising her own child. She is fully supported by her immediate family members and her own sister is the legal guardian of the child.

According to the report by the Director of Children’s services, the applicant is highly recommended as a suitable parent. She fully understands the implications of an order of adoption and she knows that the child shall be entitled to all her rights including inheritance. The child has bonded very well with the applicant and the rest of the Applicant’s family where she has fully been integrated.

I have given considerable thought to all the material that was placed before me and given attention to the provisions of the Children’s Act 2001 especially part XII and all the matters that I should address myself to and I am satisfied that the order of adoption that is sought herein shall promote the best interest of the child herein. The child will get an opportunity to grow under the Applicant’s care and guidance and above all shall be entitled to a home and a family which a better option and environment for her wellbeing than the Institution for abandoned children.

Accordingly, I grant the orders sought and allow the Applicant to adopt baby CN who shall henceforth be known as **SMK**.

**It is so ordered.**

**Judgment read and signed on 11th July, 2005.**

**M. KOOME**

**JUDGE**