

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

ADOPTION CAUSE NO. 138 OF 2003

In the matter of Adoption of infants Act Cap. 143

In the matter of Adoption of infants Act Cap. 143

EM (INFANT)

JUDGMENT

In this Originating Summons the Applicant has sought for an order authorizing her to adopt the infant herein. The Applicant is related to the infant. She is the sister to the infant's mother. The infant is aged Ten years old, she has been receiving financial support from the Applicant. This is an adoption within a Family.

The Applicant is a single woman. She has been running her own Veterinary Clinic in Kitale Town until sometimes late 2003 when she won a green card that has enabled her to live and work in U.S.A. for unlimited period of time. The infant's mother was married as a second wife, the husband died and she returned to her parent's home. She has another child aged three years. The mother of the infant has duly given her consent. The Applicant has all along been supporting this child with her education. She together with her other cousins have been visiting the Applicant during school holidays. The Applicant would now wish to adopt the child so that she can enjoy certain opportunities and privileges with the Applicant in the U.S.A that the Applicant shall be entitled to as a U.S. citizen.

I have considered this Application, the report by the Child Welfare Society and all the matters provided for under the Children Act 2001 especially the Affidavit by the natural mother of the infant CWN sworn on 16/12/03 and I am satisfied that the Applicant has fulfilled all the conditions set out therein. The Biological mother has given her consent, and understands the consequences of an Adoption Order.

The Applicant has been recommended as a fit person to Adopt the infant herein. She has bonded well with the infant. I accordingly grant the application and allow Nancy Wathiha Njuki to adopt EM.

Orders accordingly.

Judgment read and signed on 30/1/04.

M. KOOME

JUDGE

