



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA AT NAIROBI**

**ADOPTION CAUSE NO. 140 OF 2003**

**In the matter of Adoption of infants Act Cap. 143**

**EN  
JUDGMENT**

In this originating summons the Applicant NWN has applied for an Order authorizing her to adopt the infant herein EN born on 1st January 1989. The infant is related to the Applicant in that he is the son of the Applicant's sister. The Biological mother of the infant has duly signed an affidavit consenting to the proposed adoption order.

The Applicant is single, she has been running her own business of veterinary clinic in Kitale town until sometime late in the year 2003 when she won a green card that has enabled her to live and work in the U.S.A. for unlimited period of time. According to the report by the Child Welfare Society the infants mother is single, she lives in Nyeri where she works as a clerk earning a meager salary. She has been depending on the Applicant to take care of the infant. The infant who is 14 years old has duly given his consent to the adoption.

The Biological mother of the infant understands the consequences of an adoption order and the infant is looking forward to accompanying the Auntie to the Unites States. I have considered the reports by the Child Welfare Society and the Guardian Ad Litem carefully. This cause is related to Adoption Cause no. 139 and 138 as it involves the same Applicant and members of the same family. This is an adoption within a family.

I have also considered all the matters provided for under the Children Act 2001 and I am satisfied that the Applicant has fulfilled all the conditions set out therein. The Biological mother understands the implications of an adoption order and so is the Applicant. The Applicant has been recommended as a fit and proper person to adopt the infant herein. I accordingly grant the application and allow the Applicant NWN to adopt EN.

Orders accordingly.

Judgment read and signed on 30/1/04.

**M. KOOME**

**JUDGE**

