

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT ELDORET
ADOPTION CAUSE NO.9 OF 2003

IN THE MATTER OF BABY BM

AND

MR. & MRS. NL..... APPLICANTS

RULING

Before me is an application by way of Originating Summons for the adoption of an infant dated 10th November, 2003. The application was filed by M/S. Musyimi and Company Advocates of Nairobi and it is an application by NSL and his wife JAL for the adoption of an infant – BM – who will be known as JAL.

The application is supported by a statement in support of the application for an Adoption Order as well as an affidavit by NSL and JAL both dated 10th November, 2003. Also to support the application is a consent to Act as Guardian Ad Litem of Baby BM signed by Reverend William John Alexander Green dated 5th October, 2003 and an affidavit of fitness of Guardian Ad Litem by Benjamin Chemoai dated 6th October, 2003. In addition there is written report of Guardian Ad Litem to support the adoption by William John Alexander Green dated 4th October, 2003 and the report of H. W. Wanyama the District Children’s Officer Uasin Gishu District dated 4th November, 2003 supporting the adoption.

Mrs. Musyimi for the applicant submitted that the applicants were praying for orders 1, 2 and 3 of the Originating Summons. They were praying for William John Alexander Green to be appointed as Guardian ad Litem; that the Children’s Department Uasin Gishu District investigate the applicant’s fitness to adopt and file a report; and that the applicants be authorized to adopt baby BM to be known as JAL.

I find from the documents filed that baby BM was voluntarily given by the mother Miss Ngina Mburu for adoption on 1st October, 2003. Baby BM was born on 28th September, 2002.

I am satisfied that all relevant documents have been filed and the conditions required under the Children’s Act No. 8 of 2001 have been complied with. I therefore grant orders as follows:-

1. Mr. William John Alexander Green of care of Post Office Box number 2134 Eldoret is appointed Guardian ad Litem.
2. The Children’s Department Uasin Gishu District to investigate the Applicants’ fitness to adopt and file a report.
3. The Applicants NSL and JAL are authorized to adopt **BABY BM** to be known as **JAL**.

Delivered and Dated at Eldoret this Day of 2004.

George Dulu,

Judge

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I certify this a true copy of the Original

DEPUTY REGISTRAR