



**REPUBLIC OF KENYA**

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

**ADOPTION CAUSE NO 114 OF 2003**

**IN THE MATTER OF THE CHILDREN ACT ( NO 8 OF 2001)**

**AND**

**IN THE MATTER OF KATIA MAKUNGU – INFANT**

On 31st October 2003 Marc Michael Bloch and or Risper Nyagoy Nyong'o (hereinafter called the “ Applicants”) filed an application in this court by way of Originating Summons seeking inter-alia for orders to adopt an infant child known as Katia Makungu (hereinafter called “ the Infant”)

On 5th December 2003 Chabari Alphaxard was duly appointed as guardian ad litem of the said Infant. When the said application for adoption came for hearing on 16th January 2004 the said guardian ad litem who is also an Adoption Officer with Child Welfare Society of Kenya duly presented the respective reports on both the Applicants and the Infant.

The said Infant comes to this court having been born on 11th October 2002 out of a prohibited relationship within the Luyah Community. Immediately after birth, the mother who was a minor together with her mother (grandmother of the Infant) formally consented to the adoption of the said Infant through the office of the

District Children's Officer Vihiga. Upon discharge from hospital, the said Infant was admitted at the New Life Home Trust Kisumu on the authority of the said District Children's Officer and subsequently transferred to the New Life Home Trust Nairobi for commencement of adoption proceedings.

The said Infant was on 18th December 2002 fostered by the Applicants and has since remained in their good care and attention.

The Applicants are man and wife and are respectively of Swiss and Kenyan nationality but resident in Kenya. According to the reports filed, the said Applicants are fit and proper persons capable of adopting and providing due parental care and attention to the said Infant. The said Applicants are blood parents to two school going children. In accordance with the said reports, the Applicants have duly complied with the applicable provisions of the Children Act (Act No. 8 of 2001). The said Infant also duly qualifies for adoption having been assessed and declared free for adoption by a registered adoption society as provided under the said Act.

I have duly considered all the aforesaid reports together with the pleadings and submissions filed herein. I am convinced that the adoption sought by the Applicants shall be in the best interests of the said Infant. In pursuance of the said application and the necessary statutory consent on record as provided under section 158 (4)(b) of the aforesaid Act, I accordingly order that the said Infant be and is hereby adopted by the said Applicants. I further order that the said Infant be renamed Makeda Katia Jira Bloch henceforth and direct the Registrar-General to make appropriate entries in the Adopted Children register accordingly.

**DATED** and **DELIVERED** at Nairobi is 6th day of February, 2004.

**P. J. KAMAU**

**AG. JUDGE**