



**In re Adoption of AAN (Adoption Cause E183 of 2024)  
[2025] KEHC 814 (KLR) (23 January 2025) (Judgment)**

Neutral citation: [2025] KEHC 814 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)  
ADOPTION CAUSE E183 OF 2024**

**SN RIECHI, J**

**JANUARY 23, 2025**

**IN THE MATTER OF AN APPLICATION FOR THE ADOPTION OF AAN**

**IN THE MATTER OF**

**MMA ..... 1<sup>ST</sup> APPLICANT**

**KDOO ..... 2<sup>ND</sup> APPLICANT**

**JUDGMENT**

1. The Applicants, MMA and KDOO are in a monogamous marriage which was solemnized on 10<sup>th</sup> June 2013 at St. Mark’s Church Westlands within Nairobi County as evidenced by a copy as evidenced by a copy of their marriage certificate serial number 142XXXXX attached to the application.
2. KDOO, male applicant is a Kenyan Citizen aged 41 years old born on 23<sup>rd</sup> March 1983 as evidenced by a copy of his National Identification Card number 2311XXXXX attached to the summons. MMA, female applicant is a Kenyan Citizen aged 39 years old born on 5<sup>th</sup> November 1985 as evidenced by a copy of her national identification card number 24087XXXXX attached to the application.
3. The applicants have been blessed with three biological children and one biological daughter of the female applicant. The applicants biological children are namely; JHJ born 3<sup>rd</sup> March 2016, Julian Tendai Jabuya born on 17<sup>th</sup> July 2017 and JNAO born on 15<sup>th</sup> November 2019 as evidenced by copies of their birth certificates attached to the application.
4. KDOO, male applicant now wishes to adopt a female child known as baby AAN who is 15 years old and biological daughter of female applicant. The evidence on record indicates that the child was born to MMA female Applicant herein and one AML on 7<sup>th</sup> October 2008 at [Particulars Withheld] Hospital in Uganda. The female applicant broke up with the biological father of the child and the female applicant has been the sole provider of the child until she met the male applicant herein.



5. From the pleadings, this court finds that the 1<sup>st</sup> applicant is a business lady and the 2<sup>nd</sup> applicant is a Banker employed by [Particulars Withheld] Bank Kenya Limited. The applicants reside in Lavington within Nairobi County. They both profess Christian Faith.
6. Prior to the hearing of the adoption application, Buckner Kenya Adoption Services prepared and filed a report dated 12<sup>th</sup> August 2024 . They also issued a Certificate serial number 07XXXXX declaring the child free for adoption as evidenced by the copies of report and certificate declaring a child free for Adoption attached to the application.
7. The applicants stated that they have no previous criminal record and no pending criminal prosecution as evidenced by their respective police clearance certificates attached to the application.
8. The applicants are both physically and emotionally fit and healthy to parent, love and care for the child as evidenced by copies of their Medical reports attached to the application.
9. The applicants are financially stable and they are therefore able to provide fully for the child's need as evidenced by copies of their financial documents attached to the application.
10. The guardian ad litem Ms.AK filed a report dated 21.11.2024 which was favourable and recommended the adoption of the child by the Applicants.
11. Ms. Winfred Ikinya , Assistant Director Children Services Children conducted home visits and established that the applicants are financially and emotionally capable of providing for the upkeep and education of the child and filed a report dated 22<sup>nd</sup> November 2024 recommending the adoption for reasons that the child stands to gain from the opportunities provided by becoming the daughter of the male Applicant and that the 2<sup>nd</sup> Applicant has fulfilled the statutory requirements.
12. The legal guardians Mr.MO and Ms. PA consented to be appointed as legal guardians of the child and they filed their respective letter of consent attached to the application.The consent of the biological father was dispensed with since his whereabouts is unknown.
13. This is a kinship adoption and from the record the Applicants have fulfilled all the legal requirements relating to the adoption of the child. The child was in court during the virtual hearing and appeared to have bonded well with the Applicants.
14. I have examined the evidence herein and best interest of the child as required in Article 53 (2) of the Constitution and Section 8 the Children's Act,2022. I find that it is in the best interest of the child to be adopted by the male Applicant. I therefore allow the prayers sought in the originating Summons dated 4<sup>th</sup> September 2024 and Order as follows:
  - i. The 2<sup>nd</sup> Applicant KDOO is hereby allowed to adopt AAN who shall henceforth be known as AANO.
  - ii. MO and PAO are hereby appointed the legal guardians of the child.
  - iii. The Registrar General is directed to enter this Order in the Adopted Children Registry.
  - iv. The guardian ad litem is hereby discharged.

**DATED AT NAIROBI THIS 23RD DAY OF JANUARY, 2025**

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**S. N. RIECHI**

**JUDGE**

