



**In re GPMH (Baby) (Adoption Cause E213 of 2024)
[2025] KEHC 798 (KLR) (Family) (23 January 2025) (Judgment)**

Neutral citation: [2025] KEHC 798 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)
FAMILY
ADOPTION CAUSE E213 OF 2024
SN RIECHI, J
JANUARY 23, 2025
IN THE MATTER OF KINSHIP ADOPTION OF BABY GPMH**

IN THE MATTER OF

JMCMH APPLICANT

JUDGMENT

1. The Applicant, JMMH is a single applicant and widow. The applicant is an Kenyan/American Citizen aged 73 years old born on 24th May 1951 as evidenced by a copy of her national identification card serial number 0711XXXX and a copy of passport number A0478XXXX both attached to the application.
2. The applicant through an originating summons dated 25th September 2024 wishes to adopt her grandson, GPMH born on 26th June 2016 to her biological mother MNH as evidenced by a copy of his birth certificate serial number 656XXXX attached to the application.
3. The applicant was married to her late husband the Late Reverend DEH who passed away on 9th December 2020. From the evidence on record this court finds that the applicant and his late husband used to run a Ministry and Children's center known as [Particulars withheld] Children's Center until his death.
4. The applicant and her late husband were blessed with 3 biological children namely GHN, CJH and PH.
5. The evidence on record indicates that the child's mother MNH was adopted by the applicant and her late husband on 29.01.1999 and she was born on 1st May, 1996 as evidenced by a copy of the adoption order entry number ACR.45XXX attached to the application. The child is therefore a grandson of the applicant.



6. The applicant informed this court that the child's biological mother suffers from drug and alcohol addiction and she cannot provide proper guardianship to the child and it is her behavior that has prompted the applicant to adopt the child.
7. From the pleadings, the court finds that the applicant is a Missionary at Christian Ministries in Africa. The applicant resides in Karen within Nairobi County. She professes Christian faith.
8. The evidence on record indicate the child's biological mother were counseled and taken through the explanatory memorandum for parents offering their child for adoption. The biological mother understood and gave her consent as evidenced by copy of certificate of Acknowledgement attached to the application.
9. Prior to the hearing of the adoption application, Change Trust prepared and filed a report dated 20th August 2024 .They also issued a Certificate Serial number 006XXXXX 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.
10. The guardian ad litem IC filed a report dated 25th November 2024 which was favourable and recommended the adoption of the child by the Applicant.
11. Mr. Ezekiel Kimani, Assistant Director from the office of Children Services 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 31st October, 2024 recommending the adoption for reasons that the child stands to gain from the opportunities provided by becoming the son of the Applicant and that the Applicant has fulfilled the statutory requirements.
12. The legal guardians GN and SN consented to be appointed as legal guardians and they filed their letters of consent attached to the application.
13. From evidence on record the applicant is physically and emotionally fit and healthy to parent, love and care for the child as evidenced by copies of her Medical reports attached to the application.
14. The applicant is financially stable and she is therefore able to provide fully for the child's need as evidence by copies of her financial documents attached to the application.
15. This is a Kinship adoption and from the record the Applicant has fulfilled all the legal requirements relating to the adoption of the child. The child's biological mother Ms. MN was present in court during hearing and she testified as follows;

“I know the applicant. She is my mother. GP is 8 years old. I would like to hand over him to be adopted due to circumstances. I want him to be adopted because I have addiction. Applicant has been taking care of him”
16. The consent of the biological father was dispensed with since his whereabouts is unknown.
17. 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 Applicant. I therefore allow the prayers sought in the originating Summons dated 25th September 2024 and Order as follows:
 - i. The Applicant JMMH is hereby allowed to adopt GPMH .
 - ii. GHN and SN are hereby appointed the legal guardians of the child.



iii. The Registrar General is directed to enter this Order in the Register of Adopted Children.

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

