



REPUBLIC OF KENYA



KENYA LAW
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**In re RB alias MA (Child) (Adoption Cause E005 of 2024)
[2025] KEHC 5680 (KLR) (7 May 2025) (Judgment)**

Neutral citation: [2025] KEHC 5680 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NANYUKI
ADOPTION CAUSE E005 OF 2024
AK NDUNG’U, J
MAY 7, 2025
IN THE MATTER OF AN APPLICATION FOR AN ADOPTION ORDER
AND
IN THE MATTER OF RB ALIAS MA (CHILD)**

IN THE MATTER OF

IWN APPLICANT

JUDGMENT

1. IWN has applied by originating summons dated 02/07/2024 for an adoption order in respect to the Child known as RB alias MA.
2. She stated that she is a business lady and a retired teacher and she is a Kenya Citizen living in Kenya. She had one biological child who unfortunately met her untimely death at the age of 26 years on 14/02/2020.
3. The Child sought to be adopted was found abandoned at the Umoja Inner Core area within Embakasi Sub-County by a good Samaritan on 11/06/2016 and was estimated to be one day old. The matter was reported by the said good Samaritan on the same day vide OB 58/11/6/2016 at Buruburu police station.
4. On the same day, the child was admitted to Baby Blessing Children’s Home but the said children’s home was shut down and the child was then admitted to Nairobi Children’s Rescue Centre on 11/12/2019. On 16/12/2019, the child was formally committed to Mogra Children’s Home vide Nairobi Children’s Court Protection and Care Case No. 82 of 2019 upon request by the manager of Nairobi Children Rescue Centre.
5. On 13/07/2022, officer Temita Moraa, from Buruburu Police Station confirmed that they have not been able to trace the parent or guardian of the child. On 14/11/2023 the Child was placed under the care, protection and custody of the Applicant, and has been in her continuous and unbroken care,



protection and custody up to the present. He is now about 8 years old and nobody has ever come forward to claim the Child who was declared free for adoption by a certificate dated 25/10/2023.

6. On record are all the necessary reports filed herein, including-
 - i. The Guardian ad Litem dated 02/07/2024
 - ii. Little Angels Network report dated 02/03/2022.
 - iii. The Directorate of Children Services, Laikipia County, dated 13/11/2024.

All these reports are favourable to the adoption order sought.

7. I have considered the personal circumstances of the Applicant, including her current occupation, incomes and social standing. From the material placed before this court, the Applicant has no history of any medical complications that can hinder her from giving the child quality upbringing. The Applicant has been in continuous custody of the child since 14/11/2023 and have taken him to school and the child is currently said to be in primary school.
8. The Applicant is also said to be a committed Christian. The Little Angels Network stated that the Applicant is a kind and outgoing Christian who desires to have children of her own and someone to complete her family. The Children's Officer stated that a positive bonding was observed between the child and the Applicant. He described her as capable, warm and kind and has proved worth of being a parent. It was stated that she has no past criminal record.
9. The Children's Officer was satisfied that the general environment in which the child lives was conducive for his upbringing and based on their findings and observations, the Children's officer recommended that the Applicant be allowed to adopt the child.
10. I am persuaded that the Applicant not only have the will to adopt the child as her own biological child, but she has also demonstrated that she has the means to provide him with shelter, clothing, food, education and, most importantly, the parental care and protection that he needs and deserves. I have no doubt at all that she has provided and will continue to provide to the child a conducive home for wholesome upbringing.
11. Finally, I am satisfied that the Applicant is financially and materially capable of giving a good and proper upbringing to the Child, and is already providing him with a conducive and loving home. The adoption order sought is in the best interest of the welfare of the Child.
12. Upon perusal of all the material placed before the court, I am satisfied that all legal requirements for the adoption order sought have been met.
13. I will in the circumstances grant the adoption order sought. The Applicant be and is hereby authorized to adopt RB alias MA. JK and LNN are hereby appointed the legal guardians of the minor. The Child having been born in Kenya, is obviously a Kenyan citizen. The Registrar-General is hereby directed to enter this adoption order in the Adopted Children's Register.

DATED SIGNED AND DELIVERED VIRTUALLY THIS 7TH DAY OF MAY 2025.

A.K. NDUNG'U

JUDGE

