



**In re Baby AM (Adoption Cause E090 of 2025)
[2025] KEHC 8909 (KLR) (Family) (5 June 2025) (Judgment)**

Neutral citation: [2025] KEHC 8909 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)
FAMILY
ADOPTION CAUSE E090 OF 2025
SN RIECHI, J
JUNE 5, 2025**

IN THE MATTER OF

EWK APPLICANT

JUDGMENT

1. The Applicant, E W K is a single applicant. The Applicant wishes to adopt a female child known as Baby A M aged 13 years old through the Originating summons dated 3rd April ,2025.
2. The applicant is a female adult of sound mind who is 51 years old having been born on 14th June 1974 as evidenced by a copy of her national identification card number 13299482 attached to the application.
3. The applicant was previously married to one J M K but their marriage was dissolved on 13th January, 2023 as evidenced by the attached copy of the decree absolute.
4. That the applicant marriage with her ex-husband was blessed with three issues namely;
 - i. T W M born on 22nd September, 1996.
 - ii. N N M born on 13th September, 1998.
 - iii. D K M born on 31st October, 2003.As evidenced by copies of their birth certificates attached to the application.
5. The evidence on record indicates that the applicant is a business lady dealing with Petroleum Products and Real Estate. The applicant is currently the CEO of Evon International Energy Company. The applicant also serves as a CEO in Ténida Investments Limited as evidenced by the attached copy of CR12 confirming the same. The applicant resides in Amara Ridge by Cytonn within Nairobi County.
6. The evidence before the court indicates that the minor was presumably born on 20th March, 2012. The child was found abandoned and wrapped in polythene bag at Kawangware opposite seniors driving



school by Mr. Antony Ngugi Kinyanjui of ID Number 2*17 as evidenced by the attached copy of the police report dated 21st March, 2012.

7. The matter was reported to Riruta Satellite Police Station and the matter was recorded under OB.No.72/20/03/2012. The child was taken to Ngong Health Care Center for a medical checkup. The child was examined and released on account of a clean bill of health as evidenced by the attached copies of the case record sheet dated 16th October, 2012.
8. From evidence on record, the child was admitted to Huruma Trust Fund Children's Home as an abandoned child for care and protection. The Riruta Satellite Police Station issued a letter dated 12th October, 2012 confirming that its investigations to trace the minor's kin had been futile as evidenced by a copy of final police letter dated 12th October, 2012 attached to the application.
9. Thereafter and with the assistance of Riruta Satellite Police Station and the ministry of Gender, Children and Social development, the child was transferred to New Life Home Trust in Nairobi to facilitate her adoption as evidenced by the attached copy of letter from the Children's departments at Kajiado North District.
10. Thereafter the Children's Court in Nairobi upon the recommendation of the Sub-County Children Office Westlands formally committed the child to New Life Home Trust in Protection and Care Case No. 60 of 2013 on 25th February, 2013 for a period of 3 years. In support the applicant attached to the application a copy of a letter from the home dated 11th October, 2012 and court order issued on 25th February, 2013.
11. The applicant was granted care and control of the child since 16th April, 2013. as evidenced by a copy of the Memorandum of Understanding by Buckner Kenya Adoption Services attached to the application.
12. From evidence on record, the child was admitted to Huruma Trust Fund Children's Home as an abandoned child for care and protection. The Riruta Satellite Police Station issued a letter dated 12th October, 2012 confirming that its investigations to trace the minor's kin had been futile as evidenced by a copy of final police letter dated 12th October, 2012 attached to the application.
13. Prior to the hearing of the adoption application, Buckner Kenya Adoption Services prepared and filed a report. They also issued a Certificate Serial No 0007 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.
14. The applicant stated that she is physically and emotionally fit to parent the child as evidenced by copies of her medical report attached to the application.
15. The applicant stated she is financially stable and therefore able to provide fully for the child's needs as evidence by copies of her financial documents attached to the application.
16. The applicant stated that she has no previous criminal record and no pending criminal prosecution as evidenced by her copy of police clearance certificate attached to the application.
17. The guardian ad litem Ms. Irene Montet filed a report dated 19.5.2025 which was favourable and recommended the adoption of the child by the Applicant.
18. Mr. Amos Mwita, Children Officer from the office of the Director of Children Services conducted home visits and established that the applicant is financially and emotionally capable of providing for the upkeep and education of the child and filed a report dated 19th May 2025 recommending the adoption for reasons that the child stands to gain from the opportunities provided by becoming the daughter of the Applicant and that the Applicant has fulfilled the statutory requirements.



19. Ms.Christine Wangari Kamau consented to be appointed as legal guardian for the child and filed her consent attached to the application.
20. This is a local adoption and from the record the Applicant has fulfilled all the legal requirements relating to the adoption of the child. The consent of the biological parents was dispensed with since the child's biological parents whereabouts is unknown.
21. The child Baby A M was present in court during hearing and she testified as follows;

“I am 13 years old. I am a student at Brook House Karen in Grade 8. It is British Curriculum. I am with my mother E W K and sister T and N. My happy birthday is in March 20th . I want to go for my sister's Terry Graduation in U.K. and also visit France to visit the tourist attraction. I will go back home.”

The court notes that the child appears to have bonded well with the applicant.

22. I have examined the evidence herein against the best interest of the child as required in Article 53 (2) of *the Constitution* and Section 8 of the Children's Act,2022. I do 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 amended originating Summons dated 3rd April 2025 and Order as follows:
 - i. The Applicant Everlyne Wambui Kamau is hereby allowed to adopt Babay A M who shall henceforth be known as Angel Wambui Kamau
 - ii. She is presumed to be a Kenyan Citizen by birth having been born in Kenya in accordance with Article 14(4) of the Constitution.
 - iii. Ms.Christine Wangari Kamau is hereby appointed the legal guardian of the child.
 - iv. The Registrar General is directed to enter this Order in the Register of Adopted Children.
 - v. The guardian ad litem is hereby discharged.

DELIVERED at NAIROBI this5thday of.....June.... 2025.

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S. N. RIECHI
JUDGE

