



**In re EOO (Minor) (Adoption Cause E042 of 2020)
[2023] KEHC 17507 (KLR) (Family) (13 April 2023) (Judgment)**

Neutral citation: [2023] KEHC 17507 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)
FAMILY
ADOPTION CAUSE E042 OF 2020
DKN MAGARE, J
APRIL 13, 2023
IN THE MATTER OF THE CHILDREN’S ACT NO. 2001
AND
IN THE MATTER OF EOO (MINOR)**

IN THE MATTER OF

FON 1ST APPLICANT

LAW 2ND APPLICANT

JUDGMENT

1. The Applicant filed the Originating Summons dated 15th July, 2020. The same was accompanied with Chamber Summons dated the same date. The same was allowed on 14th October, 2021.
2. The Court then dealt with some other application till 11th April, 2023 when this matter came up for hearing. The Court directed that the parties be heard forthwith.
3. The Applicants were heard. They are married to each other EO the Legal Guardian testified that she has means to take care of the minor in case of any eventually. FO is her younger brother and as such LAW is her sister-in law.
4. The Children department was represented by many state who confirmed that they evaluated the request and found the same to be suitable.
5. The 3rd witness confirmed that they released the minor to be free for adoption Vide Certification No.xxxx.



6. PW4 confirmed that she knows the consequences of adoption and she is doing so with her husband out of their free will. She says she had bonded with the child. The child was present but I received him to enable free testimony.
7. PW5 FON, confirmed that he applied voluntarily. He knows the consequences. He is satisfied that the Reports are actionable.
8. They are and read. The Applicants are husband and wife and have a solid back up with the Legal Guardian. I allow the aid application.

Determination

9. I therefore allow the Amended Originating Summons in the following terms; -
 - a. The Applicants, FON and LAW be authorized to adopt EOO a minor otherwise known as ESO.
 - b. ENN and WMW be appointed as the Legal Guardians of the minor.
 - c. The Registrar General do enter this adoption with the Registrar of Adoptions.
 - d. The child be presumed to have been born in Kenya and a birth certificate be issued in the name of ESO.
 - e. The Director of Immigration to issue a passport to the child.
 - f. The child be issued with a birth certificate by the Registrar of births and deaths.
 - g. The file be closed.

**DELIVERED, DATED AND SIGNED AT NAIROBI ON THIS 13TH DAY OF APRIL,2023;
JUDGMENT DELIVERED THROUGH MICROSOFT TEAMS ONLINE PLATFORM.**

HON. MR. JUSTICE DENNIS KIZITO MAGARE

JUDGE OF THE HIGH COURT, NAIROBI

