



**In re Baby N aka ANN (Minor) (Adoption Cause 83 of 2017)
[2023] KEHC 17460 (KLR) (Family) (12 April 2023) (Judgment)**

Neutral citation: [2023] KEHC 17460 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)
FAMILY
ADOPTION CAUSE 83 OF 2017
DKN MAGARE, J
APRIL 12, 2023
MATTER OF THE CHILDREN'S ACT NO. 29 OF 2022
IN THE MATTER OF ADOPTION BABY N AKA ANN (MINOR)
AND
IN THE MATTER OF AN APPLICATION FOR
ADOPTION BY**

**IN THE MATTER OF
ENN APPLICANT**

JUDGMENT

1. The joint application made are application for adoption of the minor herein. Where the matter came before me, 4 witnesses testified virtually. Enn that she comes from Mwangaza, Nyandarua County. She produced the requisite statutory reports. She avers that she has means to take care of the minor. She has raised the minor since the minor was placed in her custody till now. The minor is now 9 years.
2. A good Samaritan had collected the minor on her way to church on July 14, 2014. The child was declared free for adoption on February 11, 2015. The child was placed under the applicant's custody. The minor was placed in the Applicant's custody on May 7, 2015.
3. The Applicant does not have other children of her own but have settled in Mwangaza, Nyandarua County. I have perused the financial reports and I am satisfied of their financial stability. I also examined her in court on her home and noted that the home is suitable and able to raise the minor herein.
4. I am satisfied that they have bonded well. The minor is in a good home. I am satisfied that the children will be in a good home.



5. PW 2 TWN confirmed that she signed the consent to act as a legal guardian and understood her role well. She recommends the adoption and filed a Report to that effect in Court.
6. PW4 testified from the office of the secretary of children services. She refers it in its old name, Directorate of Children Service. Department. Loyce Anzigale had prepared a report dated March 22, 2018 and from the report it is clear that the Applicants are suitable to adopt the minor herein.
7. PW3 testified from The Kenya children's home. He confirmed that they issued certificates confirming that the child in this matter is free for adoption. They also assessed the Applicant found suitable and duly counselled on adoption.
8. Having listened to the evidence and perused the requirements for adoption, I find that the originating summons dated June 5, 2017 is merited and as such I hereby allow the same as follows: -
 - a. Applicants, ENN is hereby allowed to adopt and do adopt a minor known as N Aka Ann.
 - b. The Registrar General is hereby directed to enter this adoption in the register of Adoption and issue a birth certificate for the minor. The date of birth be taken as July 3, 2014 and be named Ann.
 - c. TWN is hereby Appointed as the legal guardian of the child.
 - d. The director of immigration be authorized to issue the minor with a passport.
 - e. The child to be presumed to be born in Nairobi, Kenya.
 - f. The Guardian ad litem is hereby discharged.
 - g. The file is sealed and closed.

**DELIVERED, DATED AND SIGNED AT NAIROBI ON THIS 12TH DAY OF APRIL, 2023.
JUDGMENT DELIVERED THROUGH MICROSOFT TEAMS ONLINE PLATFORM.**

HON. MR. JUSTICE DENNIS KIZITO MAGARE

JUDGE OF THE HIGH COURT, NAIROBI

In the presence of:

Miss Mogaka Holding brief for Mr. Ogeto for the Applicant

Steve - Court Assistant.

