



**In re AR alias AZ alias IJWW (Baby) (Adoption Cause E003 of 2022)  
[2023] KEHC 19873 (KLR) (12 July 2023) (Judgment)**

Neutral citation: [2023] KEHC 19873 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT NANYUKI  
ADOPTION CAUSE E003 OF 2022  
AK NDUNG’U, J  
JULY 12, 2023  
IN THE MATTER OF AN APPLICATION FOR AN ADOPTION ORDER  
AND  
IN THE MATTER OF BABY AR ALIAS AZ ALIAS IJWW**

**IN THE MATTER OF**

**CWW ..... APPLICANT**

**JUDGMENT**

1. The applicant herein, CWW has applied by originating summons dated June 17, 2022 for an adoption order in respect to the child known as Baby AR alias AZ. Other consequential orders are also sought, including the order that if the adoption order sought is granted, the child be henceforth known as IJWW.
2. The applicant is a single woman and a Kenyan citizen living in Kenya. The applicant has no biological child of her own.
3. The child sought to be adopted was abandoned at Rixxx area within Ongata Rongai Township on November 23, 2019. She was taken to Nairobi Women Hospital on the same day. The matter was reported at Ongata Rongai Police Station. Thereafter, the child was admitted to Mahali Pa Maisha Rescue Center on November 27, 2019. On July 10, 2020, the child was formally committed to that Center *vide* Ngong Children’s Court Protection and Care Case No 6 of 2020.
4. On June 24, 2020, Ongata Rongai Police Station confirmed that no one had come forward to claim the child since her abandonment. The same police station further stated that effort to trace the parents and relatives of the child has been futile.
5. On May 3, 2021, 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. She is now



about 37 years old and nobody has ever come forward to claim the Child who was declared free for adoption by a certificate dated February 19, 2021.

6. 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. I have also read all the necessary reports filed herein, including-

1. The Guardian *ad Litem* report dated December 15, 2022
2. The Adoption Society, Change Trust report, dated June 26, 2019.
3. The Directorate of Children Services, Laikipia County report dated December 19, 2022.

All these reports are favourable to the adoption order sought.

7. I have considered the personal circumstances of the applicant, including her current occupation, income 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 is also said to be committed Christian. She promises to bring up the child in a Christian and God-fearing setting. She is described by the adoption society as quiet but jovial, hardworking and thorough and has a lot of family support. The Children's officer also described her as socially, financially and emotionally stable adult whose care, love and attachment to the child is not in doubt. The attached criminal citation search shows that the applicant has no past criminal record.

8. The Children's officer was satisfied that the general environment in which the child lives was conducive for her upbringing and based on their findings and observations, the Children's officer recommended that the applicant be allowed to adopt the child.

9. I am persuaded that the applicant not only has the will to adopt the child as her own biological child, but she has also demonstrated that she has the means to provide her with shelter, clothing, food, education and, most importantly, the parental care and protection that she 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.

10. 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 her with a conducive and loving home. The adoption order sought is in the best interest of the welfare of the child.

11. I will in the circumstances grant the adoption order sought. The Applicant be and is hereby authorized to adopt Baby AR alias AZ who shall henceforth be known as IJWW. The child having been born in Kenya, is obviously a Kenyan citizen. The child's birth day shall be November 21, 2019 at Kajiado County. The Registrar-General is hereby directed to enter this adoption order in the Adopted Children's Register. The guardian *ad litem* is hereby discharged and BWM is hereby appointed as the legal guardian of the child. It is so ordered.

**DATED SIGNED AND DELIVERED AT NANYUKI THIS 12<sup>TH</sup> DAY OF JULY 2023**

**A.K. NDUNG'U**

**JUDGE**

