



**In re NN aka NNM (Baby) (Adoption Cause E168 of 2024)  
[2024] KEHC 14222 (KLR) (Family) (7 November 2024) (Judgment)**

Neutral citation: [2024] KEHC 14222 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)  
FAMILY  
ADOPTION CAUSE E168 OF 2024**

**SN RIECHI, J**

**NOVEMBER 7, 2024**

**IN THE MATTER OF KINSHIP ADOPTION OF BABY NN AKA NNM**

**IN THE MATTER OF**

**MNM ..... APPLICANT**

**JUDGMENT**

1. The Applicant, MNM is a single applicant and divorced as evidenced by a copy of her divorce certificate dated 22<sup>nd</sup> January, 2013 attached to the application. The applicant is a Kenyan citizen aged 42 years old born on 11<sup>th</sup> August 1972 as evidenced by a copy of her national identification card number 11434409 attached to the summons.
2. From the pleadings, the court finds that the applicant is a consultant Nurse. The applicant reside along Ngong road/xxxx, Merlik Way and IOWA-USA. She professes Christian faith.
3. The evidence on record indicate that The child was born on 10.05.2023 to her biological parents MN and PN as evidenced by the child's birth certificate number xxxxxxx attached to the application.
4. The applicant is a maternal aunt of the child and has been under her care and her biological mother has offered the child to be adopted by the applicant so that the child access parental care.
5. The evidence on record indicate the child biological parents approached KCH Adoption Agency with the intent of offering their daughter to the applicant as she has no child of her own.
6. The evidence on record indicate the child's biological parents were counseled and taken through the explanatory memorandum for parents offering their child for adoption. The biological parents understood and gave their consent as evidenced by copy of certificate of Acknowledgement attached to the application.



7. Prior to the hearing of the adoption application, KCH adoption agency prepared and filed a report dated 17<sup>th</sup> July 2024 .They also issued a Certificate Serial xxx 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.
8. The guardian ad litem Sakina Asman filed a report dated 19<sup>th</sup> October 2024 which was favourable and recommended the adoption of the child by the Applicants.
9. Winfred Ikinya assistant Director from the office of Children Services conducted home visits and established that the applicants are financially and emotionally capable of providing for the upkeep and education of the child and filed a report dated 20<sup>th</sup> February,2024 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.
10. The legal guardian EWN consented to be appointed as legal guardian and stated that the applicant is her step daughter and she filed a letter of consent attached to the application.
11. From evidence on record the applicant is physically and emotionally fit and healthy to parent, love and care for the child as evidenced by copies of her Medical reports attached to the application.
12. The applicants is financially stable and she is therefore able to provide fully for the child's need as evidence by copies of her financial documents attached to the application.
13. This is a Kinship adoption and from the record the Applicant has fulfilled all the legal requirements relating to the adoption of the child. MNN ID number xxxxxxxx the biological mother of the child appeared in court and confirms her willingness and consent to give up the child for adoption. She confirmed she had done so voluntarily and signed consent. She confirmed she understand the consequence of her consent which was to give up all her parental rights. PNN ID Number xxxxxxxx the biological father of the child confirmed to court his willingness to give the child for adoption by the applicant who is sister to mother of the child.
14. I have examined the evidence herein and best interest of the child as required in Article 53 (2) of *the Constitution* and Section 8 the Children's Act,2022. I 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 originating Summons dated 7<sup>th</sup> August 2024 and Order as follows:
  - i. The Applicant MMN is hereby allowed to adopt Baby NN.
  - ii. The child shall henceforth be known as NNM.
  - iii. Her date of birth shall be 10<sup>th</sup> May 2023 and place of birth shall be Pumwani Maternal Hospital, Nairobi Count and she is presumed to have been born in Kenya in accordance with Article 14(4) of *the Constitution*.
  - iv. EWN is hereby appointed the legal guardian of the child.
  - v. The Registrar General is directed to enter this Order in the Register of Adopted Children.
  - vi. The guardian ad litem is hereby discharged.

**DELIVERED AT NAIROBI THIS 7<sup>TH</sup> DAY OF NOVEMBER, 2024**

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**S. N. RIECHI**



**JUDGE**

