



**In re C (Baby) (Adoption Cause 124 of 2016) [2019] KEHC 4275 (KLR)  
(Children's) (19 September 2019) (Judgment)**

*In re of C(Baby) [2019] eKLR*

Neutral citation: [2019] KEHC 4275 (KLR)

**REPUBLIC OF KENYA**

**IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)**

**CHILDREN'S**

**ADOPTION CAUSE 124 OF 2016**

**A ALI-ARONI, J**

**SEPTEMBER 19, 2019**

**IN THE MATTER OF THE CHILDREN ACT**

**(ACT NO. 8 OF 2001)**

**AND**

**IN THE MATTER OF BABY C.**

**AND**

**IN THE MATTER OF AN APPLICATION FOR ADOPTION**

**BY**

**JMW (APPLICANT)**

**IN THE MATTER OF**

**JMW ..... APPLICANT**

**JUDGMENT**

1. Before me is an application dated September 13, 2016 for adoption of a child Baby C. (name withheld) by way of an Originating Summons, brought pursuant to Sections 158,159,160,163, 164 and 169 of the Children's Act and Sections 1A,1B & 3A of the Civil Procedure Act.

In the application, the Applicant seek to adopt C. and upon adoption the child's name be changed to CM. The applicant further seeks that JMW & RMK be appointed as legal guardians to the child. Further that the Registrar General do make appropriate entries in the Adoption Register.



2. Following an earlier application, the court appointed one LJK as a Guardian ad litem, and directed both the Director of the Children's Services Department in Nairobi and the said Guardian ad litem do investigate the Applicants' fitness to adopt and file their respective reports

**Reports:**

3. Director of Children's Service Report

In a report dated 3<sup>rd</sup> May, 2019 Mary Mbuga and Nancy Waswa both of the Director of Children services office recommended the adoption.

4. Guardian Ad litem's Report

The Guardian ad litem filed a report dated 4<sup>th</sup> December 2019. The report equally recommends the adoption.

The guardian observed that the child and the proposed parent had a strong bond.

5. Based on the above background the court has formed an opinion that the Applicant has met all the necessary legal requirements and that it will be in the best interest of the child to have the Applicant as her parent.

6. Consequently, the court orders as follows:

- i. JMW be and is hereby authorised to adopt baby C. who upon this adoption will be renamed CM.
- ii. The Registrar General do register the adoption and issue a certificate.
- iii. JMW & RMK be and are hereby appointed as the Legal Guardians of CM.
- iv. Costs in the cause.

**SIGNED DATED AND DELIVERED IN OPEN COURT THIS 19<sup>TH</sup> DAY OF SEPTEMBER, 2019.**

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**ALI-ARONI**

**JUDGE**

