

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT KISUMU

(CORAM: CHERERE-J)

ADOPTION CAUSE NO. 07 OF 2019

IN THE MATTER OF ADOPTION OF BABY R. A alias R.W alias S.A.R.....CHILD

AND

IN THE MATTER OF APPLICATION BY R.G.R AND A.N.R.....APPLICANTS

RULING

1. The applicants **R.G.R AND A.N.R** who are both lawyers were married on 24th September, 2005. They have an adopted daughter aged 8 years and two biological male children aged 7 and 5 years respectively.
2. The Applicants have applied to this court to be allowed to adopt Baby **R. A alias R.W alias S.A.R (the child)**. The child who is 3 years and one-month old was born on 17th September, 2016 and was abandoned at Matunda Sub-County Hospital on 18th September, 2019 which was a day after her birth.
3. Prior to the hearing of the adoption, Little Angels Network, an Adoption Society, prepared a report dated 26th May, 2017 which was filed in court on 05th November, 2019. The Society also issued a certificate is dated 26th May, 2017 declaring the child free for adoption.
4. The Children's Department, County Children's Coordinator, Kisumu County, prepared a report dated 16th October, 2019 which was filed in court on 04th November, 2019 in support of the adoption.
5. The guardian ad litem, NK, on 02nd August, 2019 swore an affidavit and on 05th November, 2019 filed her report dated 04th November, 2019 in support of the adoption. All the reports and the affidavits filed in this matter are favourable and recommend the proposed adoption.
6. I have evaluated the facts of this adoption. I had a chance to see the Applicants and their three children relate in court and I was convinced that they are one happy family. The three children of the Applicants fondly referred to the baby as "**our small sis**" as the Baby cuddled the second Applicant affectionately. I have no doubt that the Baby has found a loving home in the family of the Applicants and their children.
7. It is evident that the Applicants have fulfilled all the legal requirements relating to the adoption of the child. The consent of the biological mother of the child was dispensed with since she is unknown.
8. The home visits by the Adoption Society and the Children Officers established that the Applicants have the financial and emotional capability to provide for the upkeep and education of the child. I saw the child in court and I noticed that she had well bonded with the Applicants, their children and the child minder.
9. This court formed the opinion that it would be in the best interest of the child to be adopted by the Applicants. I allow the application for adoption. The Applicants **R.G.R AND A.N.R** are hereby allowed to adopt Baby **R. A alias R.W (the child)**. The child shall henceforth be known as **S A R**. I direct the Registrar General to enter this order in the adoption register. It is so ordered.

DATED AND SIGNED AT KISUMU THIS 14th DAY OF November 2019

T.W. CHERERE

JUDGE

Read in open court in the presence of-

Court Assistant - Okodoi

For the Applicants - Ms. Onyango