



REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT NANYUKI
ADOPTION CAUSE NO 9 OF 2018
IN THE MATTER OF AN APPLICATION FOR AN ADOPTION ORDER
AND IN THE MATTER OF BABY FCI (THE CHILD)
ENM.....APPLICANT

J U D G M E N T

1. The Applicant herein, **ENM**, is a Kenyan national and a business lady in Nyeri County. She is single and now aged about 45 years.
2. The Applicant has sought by **originating summons dated 06/07/2018** to adopt the Child called **BABY FCI**. The Applicant does not have any natural-born children of her own.
3. The Child who appeared newly-born, was found abandoned on 25/11/2015 along **Manjanja Road** near **Manjanja Market** in Nairobi. She was taken to **Getrude's Children Hospital** for emergency attention and then transferred to **Mama Lucy Kibaki Hospital** in Dandora, Nairobi. A report was then made to **Savana Police Post** under **BuruBuru Police station**, Nairobi.
4. Subsequently the Child was admitted at the **House of Charity Children's Home** for care and protection. On 23/03/2016 the Child was formally committed to the care and protection of the home for 3 years vide **Nairobi Children's Court Protection & Care Case No XX of 2016**.
5. Efforts by **BuruBuru Police Station** to trace the parents of the child bore no fruit.
6. An adoption society, **Change Trust**, declared the Child to be free for adoption vide **Certificate Serial No xxx** dated **08/12/2016**.
On 06/02/2017 the Child was placed in the care and custody of the Applicant who has had her since then.
7. I have perused all the other documents annexed to the Applicant's **Statement** dated 06/07/2018 (and verified by her affidavit sworn on the same date) filed together with the originating summons. I find no legal impediment to the adoption order sought.
8. The Applicant appears to have a decent income, and she should be able to meet all the normal needs of a growing child, including food, shelter and education. She has bonded very well with the Child for the period of nearly 3 years that they have been together.
9. There are on the court record some three reports (all in favour of the adoption order sought) as follows –
 - i) **Filed on 14/10/2019** but apparently written in 2015 by the adoption society, **Change Trust**.
 - ii) **Dated 10/07/2019** by the **Children's Department, Laikipia County**.
 - iii) **Dated 17/09/2019** by the **Guardian ad Litem**, HWN.
10. I am satisfied that the adoption order sought in respect to the Child, **Baby FCI**, is wholly in the best interests and welfare of the Child. I will therefore allow prayers 1, 3 and 4 of the originating summons dated 06/07/2018. It is so ordered. The other orders sought in the originating summons cannot be properly made in these proceedings and are hereby refused.

DATED AND SIGNED AT NANYUKI THIS 13TH DAY OF NOVEMBER 2019

H P G WAWERU

JUDGE

DELIVERED AT NANYUKI THIS 14TH DAY OF NOVEMBER 2019