



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

ADOPTION CAUSE NO. 157 OF 2017 (OS)

IN THE MATTER OF THE CHILDREN'S ACT NO. 8 OF 2001

IN THE MATTER OF ADOPTION OF A. T. N. K – A CHILD

BY

S. K. M. (APPLICANT)

JUDGMENT

1. The Applicant S. K. M moved this court by way of an Originating Summons dated 1st November, 2017 as amended on the 18th of September, 2018 seeking to adopt A.T.N.K aged 17 years at the time of hearing of the adoption cause.

2. In the course of the adoption process F N M of Post Office Box xxxxx-00100, Nairobi was appointed a Guardian ad litem.

3. Both the Guardian ad litem and the Director of Children Services carried out investigations as directed by the court and filed their respective reports dated 26th September, 2018 and 18th September, 2018.

4. The backgrounds of the intended adopting mother and the child are as follows:

The child was born on the 15th of September, 2001 to K F J P (deceased) and his ex-wife M M N, a resident of [particulars withheld].

The child is a step daughter to the Applicant who previously cohabited with the father K F J P and the child before his demise, between 2006 and 11th December, 2010 when the child's father passed away. The child's mother has all along consented to the child staying with Applicant and has also given her consent to this adoption.

The Applicant upon the demise of the child's father applied for guardianship and on the 3rd of October, 2012 in Misc. Children's case No. 53 of 2012 she was awarded guardianship of the child.

5. The Applicant is currently married to one N L D and they have one child aged 18 months. The Applicant's husband in an affidavit dated 20th September, 2018 informed the court that he has no objection to the adoption as the child is already part of his family and they all have a strong bond together.

6. The reports mentioned above highly recommended the adoption.

7. Against the above background the court has formed the opinion that the Applicant is a suitable person to adopt the child and that this adoption is certainly in the best interest of the child.

8. Consequently therefore:

(a) The Applicant S K M be and is hereby authorised to adopt the minor **A. T. N. K.** named herein.

(b) The Registrar of adoption be and is hereby directed to enter this adoption in the adoption register.

DATED, SIGNED and DELIVERED at NAIROBI this 15th DAY OF November, 2018.

.....

ALI-ARONI

JUDGE

In the presence of:

Counsel for the Applicant.....