



**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA**  
**AT NAIROBI**  
**ADOPTION CAUSE NO. 91 OF 2017 (OS)**  
**IN THE MATTER OF THE CHILDREN'S ACT NO. 8 OF 2001**  
**IN THE MATTER OF ADOPTION OF BABY AD**  
**BY**  
**MKK& EWK (APPLICANTS)**  
**JUDGEMENT**

1. The Applicants **MKK & EWK** moved this court by way of an Originating Summons dated the 20<sup>th</sup> of June 2017 seeking for orders that; -
  - a. The said applicants be authorised to adopt the child referred to herein as **Baby AD** and upon adoption to have the child's name changed to **AWK**.
  - b. That **JWK** and **GNK** be appointed as Legal Guardians of the child in the event of the Applicants' death or incapacitation.
  - c. The Registrar General do enter the adoption in the Adoption Register.
2. By a ruling dated 20<sup>th</sup> December, 2017 this court appointed **Joseph Kamata Nderitu** as guardian ad litem and required the said guardian and the Director of Children's Services Department to investigate the Applicants fitness and the prevailing circumstances as relate to this adoption and file their respective reports.
3. The respective reports were filed with the Court on 9<sup>th</sup> of October 2018 and 5<sup>th</sup> March, 2018 respectively. Both reports highly recommended the Applicants as suitable and capable parents. The Court was informed that the applicants are biological parents of one daughter aged 10 years, they own a home and are said to be in stable jobs, therefore financially able and their home said to be suitable environment to bring up their children, the Applicants are aged 42 and 41 years respectively, are both Kenyan citizens and committed Christian. They have the desire to get their daughter a sister that she so much wants to have but have been unable to sire another child.
4. The child, baby AD was abandoned in Katina, Kawangware and rescued by a good Samaritan on the 31<sup>st</sup> January 2015.

The matter reported to Muthangari Police Station on the same day. The child was thereafter committed to Abandoned Baby Rescue Centre for protection and care and was declared free for adoption on 17<sup>th</sup> June 2016 by Little Angels Network Adoption Society and placed with the Applicants for foster care since 28<sup>th</sup> July 2016 pending formal adoption.

The child is said to have bonded well with the foster family and is happy in her current environment and has normal growth.
5. The proposed legal guardians **JWK** and **GNK** are sisters of the Applicants respectively and they have both given their consents to be appointed as such.
6. Against the above background I have formed the opinion that the Applicants herein are suitable and fit persons to adopt Baby Angle Daisy and that the said adoption will be for the best interest of the child who has found parents who care for her and a sister.
7. Consequently, I make the following orders.
  - a. That the Applicants **MKK& EWK** be and are hereby authorised to adopt **Baby AD**.

b. That the child's name will upon this adoption be AWK.

c. That JWK and GNK jointly be and are hereby appointed as legal guardians of the child now to be known as AWK.

d. That the Registrar General do enter this adoption in the adoption register.

SIGNED DATED and DELIVERED in open court this 7<sup>TH</sup> day of December, 2018.

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**ALI-ARONI**

**JUDGE**

In the presence of:

Counsel for the Applicant.....