



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT NAKURU

ADOPTION CAUSE NO.34 OF 2015

IN THE MATTER OF J G AND R S N.....SUBJECTS

AND

A N G.....APPLICANT

RULING

Following this court's ruling of 9th December, 2016, the Applicant, A N G moved this court by a Chamber Summons dated 20th day of January, 2017 through his lawyers Wachira Wanjiru & Company Advocates seeking the following orders:

1. Spent
2. Spent
3. THAT the honourable court be pleased to admit the certificate filed by Kenyan to Kenyan Peace Initiative Adoptive Society (hereinafter KKPI) declaring JGN and RSN free for adoption as part of the record of this court.
4. THAT the costs of this application be in the cause.

The application is premised on grounds:

1. THAT this adoption cause was filed on behalf on the Applicant and heard by the Honourable Court without the input of a registered adoption society contrary to the rules governing adoption in Kenya.
2. THAT the failure to involve a registered adoption society means that no certificate declaring the children free for adoption was issued by a registered society contrary to the express provisions of the rules governing adoption in Kenya
3. THAT the Registrar General has declined to make the appropriate entries in the adopted children's register in respect of JGN and RSN and to issue certificates of adoption for the said minors due to the anomaly.
4. THAT it is in the best interest of the children to have this application allowed to pave way for the implementation of the orders of this Honourable court with regards to the adoption of JGN and RSN.
5. THAT it is in the interest of justice that the the court grants the above sought orders.

The application is further supported by a sworn affidavit of Mburu K. Solomon, an advocate in the firm of Wachira Wanjiru & Company Advocates.

The application is not opposed.

The gist of the application is that the applicant had applied to adopt the minors JGN and RSN to go live with them in USA where he and his family live and are citizens.

On 9th December, 2016 this court delivered a ruling allowing the sought prayers without a certificate declaring the minors free for adoption from a registered Adoption Society.

It is prayed that the court admits the certificate filed by KKPI Adoption Society declaring JGN and RSN free for adoption as part of the record so as to enable the Registrar General to make appropriate entries in the adopted children's register in respect of the above-named minors and to issue certificates of adoption.

As stated above, the application is not opposed. I have considered the application, the supporting grounds and affidavit. I have noted that Certificates freeing the minors for adoption have been dully filed by KKPI Adoption Society. I am satisfied that the order sought is in the best interest of the minors.

For the above reasons, I allow the application and grant prayers 3 and 4 of the chamber summons dated 20th January, 2017.

Dated, Signed and Delivered at Nakuru this 21st day of February, 2017.

A. K. NDUNG'U

JUDGE