

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT KERUGOYA

ADOPTION CAUSE NO. 1 OF 2016

IN THE MATTER OF ADOPTION OF

BABY P K K ALIAS P F.....THE CHILD

BY

P N K.....1ST APPLICANT

AND

E W N.....2ND APPLICANT

RULING

1. By way of Originating Summons brought under **Section 158, 159** and **160** of the **Childrens Act, Section 24** of the **Interpretations and General Provisions Act, Cap 2 Laws of Kenya**, the applicants **P N K** and **E W N** seek orders that the child **P K K** alias **P F** be presumed to be a Kenyan citizen by birth. That the Director of Immigration be authorized to issue the child with a Kenyan Passport. That the applicants be authorized to adopt baby **P K K** alias **P F** to be known as **I I M**. That **J N M** be appointed as legal guardians of the child in the event of death or incapacity of the applicants before he is of full age and fully self reliant. That the Registrar General be directed to enter in the Adopted Children Register an entry recording the adoption. That the Court be pleased to make any further orders it deems necessary.

2. The Originating Summons is supported by the joint statement of **P K K** and **E W N** and on the ground that the applicants have met the legal prerequisites set out for adopting a child and have sufficiently bonded with the child. Further that it is in the best interests of the child that the adoption order be granted in favour of the applicants.

3. I have considered the Originating Summons. I have perused the annexed documents in support of the Originating Summons. The applicants have lived with the child since 17th July, 2015 a period of over three (3) months as required under **Section 157** of the **Childrens Act**. The applicants are in good physical health and emotional fitness to parent the child as shown by the copies of the medical reports annexure PE16. The applicants are financially stable and are capable of providing for the child. All the requirements of adoptive parents are in order.

4. The Children Department in a report by Faith Chabari, sub-county Children Officer Kirinyaga East filed in Court on 26th November, 2016 recommends that the prospective adoptive parents be allowed to adopt the child. The report and all other annexed documents show that the proceedings are in order. It is in the best interests of the child that he be placed under the care of the adoptive parents as requested. I am satisfied that the Originating Summons has merits. I allow it as prayed. I order that an adoption of the child **P K K** alias **P F** be issued to the applicants **P K K** and **E W N**.

Dated and delivered at Kerugoya this 3rd day of March, 2017.

L. W. GITARI

JUDGE

Read out in open court, Mr. Kamenju for the applicants, court assistant Naomi Murage this 3rd day of March, 2017.

L. W. GITARI

JUDGE