



REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT NYERI
ADOPTION CAUSE NO. 1 OF 2015
IN THE MATTER OF BABY L W W.....CHILD
AND
J W W.....APPLICANT

RULING

1. The application is brought by way of an Originating Summons and is dated the 31st October, 2014 and filed in court on the 7th January, 2015. The applicant seeks the following Orders;
 - (a) That **RNW** be appointed as guardian ad litem herein;
 - (b) That the applicant **JWW** be authorized to adopt baby **LM**.

(a) That the Honourable Court dispenses with the biological mothers' consent as the baby had been abandoned; and attempts and efforts to trace the parents or relatives of the child have been without success.
2. The baby **LM** at the age of one (1) month was abandoned by the mother and was found on the 10/09/2013 in the Kithurune area; the case was reported at Meru Police Station and an entry was noted in the Occurrence Book as **O.B NO.[particulars withheld]**.
3. On the **25/09/2013** the Senior Resident Magistrate Court at Nkubu committed baby **LM** to the institution known as Ripples Children's Home for protection and care under Protection and Care Case Number **30/13/2013** and she was declared free for adoption under Section 156(1) of the Children's Act and a freeing Certificate Serial Number **[particulars withheld]** dated the 28/05/2014 was issued by the Little Angels Network.
4. The Guardian Ad Litem **RNW** was appointed on the **16th March, 2016** and the County Director of Children's Services after visiting and interrogating the applicant filed into court a favourable Social Inquiry Report made on the **14th September, 2015** on the applicants' suitability to adopt baby **LM**.
5. After reading and taking into consideration the contents of this report it is noted that; the applicant is single and has never been married; that she is aged **43** years and therefore her age falls within the prescribed parameter; her Certificate of Good Conduct is current and valid and she annexed her bank statements which establishes her financial standing and suitability.

6. Upon satisfying myself that all the legal requirements had been adhered and upon observing the applicant with the child at the hearing hereof I noted the existence of an emotional bonding; the child appears to be happy, healthy and well taken care of.

7. For the reasons stated above this court is satisfied that the applicant is suitable persons to adopt Baby **LM**; and that she has the resources to provide and take care of baby **LM**.

DETERMINATION

8. The application for the adoption of baby **LM** is hereby allowed; the applicant is hereby allowed to adopt baby **LM** she shall be known as **LWW**.

9. The Registrar General is hereby directed to enter this adoption order in the Adoption Register; the Registrar Births and Deaths is hereby directed to issue a Certificate of Birth in the name **LWW**.

10. The Guardian ad Litem is hereby discharged and is hereby appointed as Legal Guardian until baby **LWW** attains the age of majority of eighteen (18) years.

Orders Accordingly.

Dated, Signed and Delivered at Nyeri this 20th day of July, 2017

HON. A. MSHILA

JUDGE