

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

ADOPTION CAUSE NO.100 OF 2010

AND

IN THE MATTER OF CHILDREN'S ACT, No. 8 of 2001

AND

IN THE MATTER OF BABY M N

IN THE MATTER OF AN APPLICATION FOR ADOPTION

BY G N K

RULING

The applicant is G N Kamau and his late wife E G passed away on the 13/9/15 whilst the application for adoption was pending. From the contents of the affidavit applicants had been placed with Baby M N M on the 18/4/08. The couple had jointly been assessed by the director of children department. The applicant's wife who was a joint applicant passed on before the main hearing. The applicant by its notice of motion dated the 14/10/15 seeks to have the adoption application proceed before the court in the absence of the 2nd applicant who has since passed on. I have read the applicant's affidavit filed in court on the 14/10/15. It is indeed unfortune that his wife the co-applicant passed on the 13/9/15. The applicant avers that he desires to have the process continue. I have the report of the Director of Children Services dated the 25/2/2016 and the agency report dated the 23/2/16 and note that it would be in the best interest of the child that the process continues. The applicant may proceed as is before the court in the absence of the 2nd applicant who has since passed on. Prayer no. 2 of his application shall be dealt with at the main hearing of the adoption application. Costs shall be in the cause. It is so ordered.

Dated, signed and delivered this **8th** day **April 2016**

R. E. OUGO

JUDGE

In the presence of:

.....for the Applicant.

Charity Court Clerk.