

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

ADOPTION CAUSE NO. 210 of 2013

IN THE MATTER OF THE CHILDREN ACT AND

IN THE MATTER OF BABY R ALIAS M W (INFANT)

J K M.....APPLICANT

RULING

J K the applicant in this matter has brought an application by way of Notice of Motion under Article 53 of the constitution, section 4, 154, 156, section 159 (1) section 159(4) and section 160 and all other enabling provision of the Children Act 2001, section 3A and 95 of the CPR. The applicant seeks to have the adoption application proceed as is before the court in the absence of the 2nd applicant E K K who has since passed on. From applicant’s affidavit the 2nd applicant now deceased passed on the 17/1/16. He states that his wife loved the minor dearly and that it is his desire that the process continues. I have read the report from the agency but note that there is no report from the director of children services now was there presentative in court however it is in the best interest of the child that this court allows the applicant to proceed with the application as is before the court in the absence of the applicant who has since passed on. Prayer no. 2 of the application dated the 29/2.16 shall be dealt with at the hearing.

Dated signed and delivered this **8th** Day of **April** 2016.

R. E. OUGO

JUDGE

In the Presence of:

.....**For the Applicant.**

Charity Court Clerk.