



REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT NYERI

ADOPTION CAUSE NO. 8 OF 2014

IN THE MATTER OF BABY JK aka JGW.....INFANT

AND

J G W

I N N..... APPLICANTS

RULING

1. The application is brought by way of an Originating Summons and is dated the 19th day of May, 2014. The applicants seek the following Orders;
 - a. That **A W N** be appointed as guardian ad litem herein;
 - b. That the applicants **J G W and I N N** be authorized to adopt baby **JGW**.
 - c. That the Honourable Court dispense with the mothers' consent who abandoned the child.
2. The baby **JGW** was delivered at home on 4th December, 2008; due to his prematurity the mother took the baby to Kiambu District Hospital; the baby was abandoned by his mother at the Nursery Ward there at; the case was reported at the Kiambu Police Station and noted in the Occurrence Book as Entry No.32/66/02/2009
3. On the **4TH March, 2009** at the Childrens' Court at Kiambu the baby **JGW** was committed to the institution under Care and Protection Order Number **18/2009** and he was declared free for adoption under Section **156(1)** of the Children's Act and a freeing Certificate Serial Number **0636** was issued by the Child Welfare Society of Kenya.
4. The Guardian Ad Litem **A W N** was appointed on the **22/07/14** and the County Director of Children's Services after visiting and interrogating the applicants filed a favourable report in court on the **5/09/14** on the applicants suitability to adopt baby **JGW**.
5. After reading and taking into consideration the contents of this report and satisfying myself that all the legal requirements had been adhered to that is; the applicants were married under Kikuyu Customary Law in 1981 and was solemnised their marriage in Church in 1986; their ages being 59 and 56 respectively therefore their ages are within the prescribed parameters; their Certificates of Good conduct are current and valid; and that their Bank Statements establishes their financial standing and suitability.
6. Also after observing the applicants with the child at the hearing hereof I noted that there is a good bonding between them; the child appears to be healthy and well taken care of.

7. Consent to the adoption was obtained from the applicants adult biological son **T N** and is annexed to the application.
8. For reasons stated above this court is satisfied and finds that the applicants are suitable persons to adopt Baby **JGW**; and that they have the resources to provide and care for him.

DETERMINATION

9. The application for the adoption of baby **JGW** is hereby allowed; the applicants are hereby allowed to adopt baby **JGW**; he shall be known as **JGW**.
10. 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 **JGW**.
11. The Guardian ad Litem is hereby discharged and is hereby appointed as Legal Guardian until baby **JGW** attains the age of majority of eighteen (18) years.

Orders Accordingly.

Dated, Signed and Delivered at Nyeri this 7th day of April, 2016.

A.MSHILA

JUDGE