



**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA AT NAIROBI**  
**ADOPTION CAUSE NO.192 OF 2014**  
**IN THE MATTER OF THE CHILDREN ACT (CAP 141)**  
**AND**  
**IN THE MATTER OF BABY C.L. AND**  
**IN THE MATTER OF AN APPLICATION FOR ADOPTION BY**  
**C M B AND G M K**  
**JUDGMENT**

1. The applicants C M B AND G M K are a Kenyan couple that resides at Nairobi West in Nairobi. They have not been blessed with a child, and have applied to adopt Baby C.L.
2. Baby C.L. was presumably born on 14<sup>th</sup> February 2013. On 29<sup>th</sup> June 2013 an unknown person left her with a 13 year old granddaughter of a good samaritan at Kandisi area, Ongata Rongai. The good samaritan reported this to Ongata Rongai Police Station and matter handed over to Kajiado North District Children's officer who referred the Baby to Mahali Pa Maisha Children's Home. On 14<sup>th</sup> August 2013 the Children's Court in Nairobi vide **Protection and Care Case No. 232/2013** committed the Baby to the Home for a period of six months. Efforts to trace the parents of the Baby did not bear any fruit.
3. On 12<sup>th</sup> March 2014 the Baby was declared free for adoption by Kenya Children's Home who issued Certificate No. **[particulars withheld]** and placed with the applicants for mandatory foster period. She has been continuously in their care and protection since then. They have reported that the baby has settled well with the family.
4. The applicants have been assessed by the Director of Children Services and the guardian *ad litem* T A. Each has produced a report to say that they are financially stable and have the social and emotional ability to take care of the Baby. It is the opinion of this court that the best interests of this Baby will be served by this adoption. The applicants will be able to provide a home and family environment in which the Baby can grow and develop to be a useful member of the society. The applicants will assume all parental rights and obligations of the biological parents of the Baby, and treat it as if it was born to them. The Baby shall have the right to inherit their property. The adoption shall be final and binding during the lifetime of the Baby, and the applicants will not give it up owing to any subsequent unforeseen behaviour or other changes in it.
5. I am satisfied that all the requirements for a local adoption under the **Children Act, 2001** have

been met. I therefore make the following orders:-

- (a) C M B and G M K are hereby allowed to adopt Baby C.L. who shall henceforth be known as C I M;
- (b) the Baby is presumed to be Kenyan having been found at Ongata Rongai in Kajiado County;
- (c) the Baby's date of birth shall be 14<sup>th</sup> February 2013;
- (d) W O B shall be the legal guardian of the Baby should anything happen to the applicants before she is of age;
- (e) the Registrar General is directed to enter this adoption in the Adoptions Register;
- (f) the guardian *ad litem* is hereby discharged.

**DATED and DELIVERED at NAIROBI this 6<sup>th</sup> February 2015**

**A.O. MUCHELULE**

**JUDGE**