

REPUBLIC OF KENYA

IN HIGH COURT OF KENYA AT NAIROBI

FAMILY DIVISION

ADOPTION CAUSE NO. 117 OF 2010

IN THE MATTER OF THE CHILDREN'S ACT NO. 8 OF 2001

AND

IN THE MATTER OF BABY J.J.M.....MINOR

C.M.M AND J.W.N.....APPLICANTS

JUDGMENT

1. The applicants are a married couple, having celebrated their marriage in Church in Nairobi on 2nd May 1998. C.M.M and J.W.N are in business conducting business in Industrial area and Kayole respectively and capable of supporting the child. The infant had been abandoned at birth in Githurai 44 on 4th September 2009 and taken into Missionaries of Charity Home in Huruma. The applicants received into care the said infant on 3rd October 2009 and have provided him material and emotional support since then and have developed a close relationship with him.

2. Prior to the hearing the adoption society, Kenya Children's Home prepared a report which is filed in Court. They also filed a certificate declaring the child free for adoption. The certificate is dated 15th September 2009. The director of Children's Services prepared a report dated 19/10/2011 which is on record. The Guardian Ad litem, S.T.K and C.W.T prepared a report which is also filed in Court. All reports are favorable and recommend the proposed adoption. I have evaluated the documentations availed in Court and all are in support of this adoption.

3. The couple despite being married for over 15 years has been unable to get a biological child due to J.W.N medical condition. From the reports adduced in court it is evident that the applicants have fulfilled the requirements relating to adoption. The Court is satisfied that the applicants are qualified and financially able to take care of the child by providing him with upkeep and a good education. The child has been in the applicants' care for some time within which they have bonded as a family. The Court finds that it is in the best interest of the child to be adopted by the applicants. I allow the applicants **C.M.M** and **J.W.N** to adopt baby **A**. who shall henceforth be called. **J.J.M** while **S.T.K** and **C.W.T** shall be the child's legal guardians should the need arise. I direct the Registrar General to enter this order in the adoption register. I also discharge the guardian ad litem. It is so ordered.

Dated, signed and delivered this **4th** day of **December** 2014.

R.E. OUGO

JUDGE

In the presence of:-

.....For the Applicants

.....Court Clerk