

REPUBLIC OF KENYA

High Court at Nairobi (Nairobi Law Courts)

Adoption Cause 188 of 2010

IN THE MATTER OF ADOPTION OF BABY C.M. THE INFANT

AND

A.N.N.

S.N.M.....APPLICANTS

AND

**MISSIONARIES OF CHARITY – HURUMA CHILDRENS HOME –
HURUMA.....RESPONDENT**

JUDGMENT

When this matter first came before the Honourable Lady Justice Karanja, the learned judge was reluctant to allow the adoption. Her misgivings arose out the financial base of the Applicants which was indeed shaky. The joint savings of the couple were said to be Kshs. 62,000/=, but there was no evidence to support these figures. On those grounds, the judge deferred the granting of the adoption orders at that moment in time. She accordingly deferred the adoptive orders and instead directed the Applicants to file evidence of their financial ability and move the court again after six months if they will have filed the appropriate documents.

It is now one year since the learned judge expressed the above sentiments and a lot of water has passed under the bridge. The Applicants were hampered from raising sufficient funds by several factors. Among these was a bank loan that they were repaying, but now they have completed the repayments. As a result, they are now able to save four times as much as they were saving one year ago. The child is now attending Std 1 in a private academy and this is a clear sign that the adoptive parents are, financially, a lot better than they were one year ago.

By that reason, I am satisfied that the Applicants have passed the test laid down by Lady Justice Karanja and that they are entitled to the adoption orders as prayed. I accordingly order that-

- 1. The Applicants be and are hereby authorized to adopt baby C. M.**
- 2. The Registrar-General to make an appropriate entry in the Adopted Children Register.**

DATED and DELIVERED at NAIROBI this 4th day of October, 2012

**L. NJAGI
JUDGE**