



**In re Adoption of Baby SR (Adoption Cause E004 of 2025)
[2025] KEHC 17243 (KLR) (20 November 2025) (Judgment)**

Neutral citation: [2025] KEHC 17243 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KAJIADO
ADOPTION CAUSE E004 OF 2025
CW MEOLI, J
NOVEMBER 20, 2025
IN THE MATTER OF ADOPTION OF BABY S.R**

IN THE MATTER OF

**VKM 1ST APPLICANT
EAO 2ND APPLICANT**

JUDGMENT

1. The Applicants herein are V.K.M (male) and E.A.O (female). The Applicants are Kenyan citizens aged 45 years. Both have a college education. They reside at Loitokitok, Kajiado. The 1st Applicant is an artisan and in formal employment while the 2nd Applicant operates a salon. The Applicants got married on 13th July 2013 under the *African Christian Marriage and Divorce Act* (now repealed) after a courtship of two years.
2. The Applicants ascribe to the Christians faith and are active members of the Redeemed Gospel Church. They desired to have their own biological children but have been unable due to medical reasons. This is the key reason why they have applied by the Originating Summons dated 20.03.2025 and supported by their affidavit and annexures thereto, to adopt Baby SR, the subject minor herein.
3. Baby S.R estimated to have been born on 28th April 2022, is a male child. On 4th May 2022, he was found abandoned outside the Africa Gospel Church Baby Centre, Nakuru. The matter was reported at Ngata Police Post where the case was booked *vide* OB No 11/04/05/22. The police having placed the subject in the care of the Africa Gospel Church Baby Centre duly notified the sub-county Children Officer Rongai, Nakuru. On 13th May, 2022 the Rongai Sub- County officer initiated *P & C case No. E117 OF 2022* at the Chief Magistrate’s Court, Nakuru, seeking committal of the child to the African Gospel Church Baby Centre Home (Centre) for a period of 3 years.
4. By an order made in the above P & A Case, the subject minor was committed to the Centre for a period of 3 years. In a letter dated 16th May, 2023 police confirmed the child’s abandonment as all



efforts to trace the child’s mother had proved unsuccessful. The child was subsequently declared free for adoption by the Little Angels Network Adoption Society on 5th July 2023 *vide* certificate No. 002372. Baby SR was thereafter placed in the care of the Applicants on 24th July 2023 and has remained in their care since.

5. The court has considered the entire record, and more particularly, the social enquiry report dated 2nd March 2022, which was prepared by Little Angels Network, an adoption agency. In addition, the court has reviewed reports prepared by the guardian ad litem Jedidah Njoki Muigai and the County Co-Ordinator Children Services Kajiado, pursuant to the order made herein on 13.05.2025.
6. It appears from the above material that the Applicants are both in good health, and in a stable and happy union, and given their respective jobs and maturity, have the financial and emotional capacity to take on parental responsibility. They have proved this capacity during the two year period in which Baby SR has been in their care
7. Their sole motivation in seeking the adoption is to have a child of their own. They have no criminal records and fully understand the consequences of the adoption proceedings, having fully bonded with the child. The various reports and letters on record recommend the proposed adoption. According to the Children Officer’s report the subject has bonded well with the prospective adoptive parents, a matter confirmed by the court when the Applicants and subject appeared in court during the proceedings.
8. The court is obligated under Article 53 of the Constitution and Section 4(3) of the Children Act in a matter of this nature, to consider and uphold the best interests of the subject. These provisions mirror the State’s obligation under the United Nations Convention on the Rights of the Child (CRC), which Kenya ratified on 30th July 1990, Article 3 of thereof stating that: -
 - “1. . In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.
 2. States Parties undertake to ensure the child such protection and care as is necessary for his or her well-being, taking into account the rights and duties of his or her parents, legal guardians, or other individuals legally responsible for him or her, and, to this end, shall take all appropriate legislative and administrative measures”.
9. The mother of Baby SR abandoned him. The Applicants are willing to take on parental responsibility over the subject. They earn a monthly net income of Kshs. 60,000/= between them and have made suitable living and social arrangements to accommodate and raise the subject as their own child. On the material before it, the Court is satisfied that the proposed legal guardian S T O, a sister-in-law to the 1st Applicant is well suited to be appointed in that capacity.
10. In the result, the court is satisfied that the proposed adoption will benefit the subject as it gives him a chance to belong to and be raised in a family that loves and cares for him. The Applicants have demonstrated their capacity to do so, since he was placed with them. They are eminently qualified for a local adoption.
11. In the circumstances, the court will grant prayers 1, 2, 3, 4 and 5 of the Originating Summons dated 20th March, 2025.



DELIVERED AND SIGNED ELECTRONICALLY AT KAJIADO ON THIS 20TH DAY OF NOVEMBER 2025.

C.MEOLI

JUDGE

In the presence of:

For the Applicants: Mr. Njenga

C/A: Lepatei

