



In re Adoption of Baby FK alias SFM (Child) (Adoption Cause E003 of 2025) [2025] KEHC 18787 (KLR) (3 December 2025) (Ruling)

Neutral citation: [2025] KEHC 18787 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KERICHO
ADOPTION CAUSE E003 OF 2025
JK SERGON, J
DECEMBER 3, 2025
IN THE MATTER OF THE CHILDREN ACT (CAP.141 OF 2022)
AND
IN THE MATTER OF THE ADOPTION RULES & REGULATIONS
IN THE MATTER OF BABY FK ALIAS SFM (CHILD)**

IN THE MATTER OF

**CMN 1ST APPLICANT
AWK 2ND APPLICANT**

RULING

1. The subject matter of this ruling is the Originating Summons dated 16th June, 2025. In the aforesaid summons, the applicants namely CMN and AWK sought for the following orders *inter alia*:-
 - (i) That JK (ID No.XXXXXXXX) a Resident of Litein Town in the Republic of Kenya be appointed Guardian Ad Litem of the Child FM alias SFM.
 - (ii) That the Director, Children’s Services Department investigates the Applicants; fitness or otherwise to adopt the minor and files a report thereof.
 - (iii) That the applicants, CMN (ID NO.XXXXXXXX) and AWK (ID NO.XXXXXXXX) both of Post Office Number 437-XXXX be authorized to adopt the female child currently identified and known as FM alias SFM.
 - (iv) That SNK (ID NO.XXXXXXXX) the brother-in-law and biological brother respectively of the Applicants respectively, being a resident of Nairobi City County within the Republic of Kenya be appointed Guardian to take care of the interests of the minor should any misfortune befall the Applicants.



- (v) That the said minor be declared a Kenyan Citizen
 - (vi) That the child be renamed SFM and the Registrar of Births and Deaths be directed to issue a Birth Certificate for the said minor.
 - (vii) That the Registrar General does make appropriate entries in the Adopted Children's Register.
2. The applicants filed the affidavit sworn by CMN in support of the summons.
 3. The applicants stated that in the month of January, 2023, they applied for adoption of a child through the Change Trust Adoption Society and Adoption Society Incorporated under the *Children Act* and that child placement was considered and approved by the Adoption Society. The duo also averred that they are aware that the said Favour Kiangai alias SFM (minor) was declared free for adoption on 21/5/2021. They also indicated that the minor has been under the care of Ripples International Children's Home, Meru since 13th September, 2019 after being abandoned by his biological mother at [Particulars Withheld], Igembe Sub-County and that Ripples International Children Home had taken physical custody of the child and assumed parental responsibility to the date of the applicant's application.
 4. It is the applicants' submission that the minor was placed under their care and custody *vide* a Care and Placement Agreement dated 8th January, 2024. They averred that since then, they have dutifully and faithfully abide by the terms of the agreement.
 5. The applicants stated that they meet the requisite qualifications for the grant of adoption. They also averred that they possess sufficient economic means to take care of the child. They further proposed for an independent person from them namely JK to be appointed as guardian ad litem.
 6. It is clear from the material placed before this Court that the proposed guardian ad litem has consented to be appointed as such.
 7. Having considered the averments made and the material placed before this Court, I am satisfied that the applicants meet the legal requirements and qualifications for them to be granted an adoption order. In the end, I find the Originating Summons dated 16th June, 2025 to be meritorious. It is allowed in terms of prayers 1 to 7.

**DELIVERED, SIGNED AND DATED AT KERICHO THIS 3RD DAY
OF DECEMBER, 2025**

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**J. K. SERGON
JUDGE**

In the presence of :-

C/Assistant – Rutoh

Mwita for the Applicant

