



**In re Baby ED alias EKR (Child) (Adoption Cause E001 of 2025)
[2025] KEHC 19025 (KLR) (3 December 2025) (Ruling)**

Neutral citation: [2025] KEHC 19025 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KERICHO
ADOPTION CAUSE E001 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 ED ALIAS EKR (CHILD)**

IN THE MATTER OF

HKC 1ST APPLICANT

VCL 2ND APPLICANT

RULING

1. HKC and VCL, the applicants herein, took out the Originating Summons dated 13th February, 2025 and sought for the following orders inter alia:-
 - i. That LKK (id. No.XXXXXXXXXX) a resident of Kericho in the Republic of Kenya be appointed Guardian Ad Litem of the child ED Alias EKR.
 - 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 HKC (id No.XXXXXXXXXX) And VCL (id No.XXXXXXXXXX3) Of Post Office Number 49, Fort Tenan Be Authorized To Adopt The Male Child Currently Identified And Known As ED Alias EKR.
 - Iv. ThatSKC (id No.XXXXXXXXXX) And MCC (id No.XXXXXXXXXX), the brother and sister-in-Law respectively of the applicants respectively, both of who are residents of Koisagat,



Fortenan, within Kericho County be appointed guardians to take care of the interest 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 EKR 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 in support of the summons the affidavit sworn by HKC.
 3. The applicants who are husband and wife applied to adopt ED alias EKR, a minor, they have no blood relationship. The applicants stated that in the month of October, 2021, they made the application for adoption through the Change Trust Adoption Society, an Adoption Society incorporated under the Children Act and that child placement was considered and approved by the Adoption Society.
 4. They also averred that the minor had been declared free for adoption. It is stated that the minor has been under the care of African Gospel Church Baby Centre since 27th June, 2019 after being abandoned by his biological mother at Eldama Ravine Sub-County Hospital and that the A.G.C. Church Baby Centre had taken physical custody of the child and assumed parental responsibility to the date of the applicants' application.
 5. The applicants stated that the minor was thereafter placed under their care and custody vide a Care and Placement Agreement dated 20th September, 2022 and that they have complied with the terms of the case and placement agreement they entered.
 6. The applicants have submitted documents and evidence to this Court indicating that they meet the requisite qualifications for an adoption order. The applicants have further averred that they possess sufficient economic means to take care of the child.
 7. The applicants also urged this Court to appoint one LKK as guardian ad litem. This Court has noted that LKK has consented to be appointed guardian ad litem.
 8. Having considered the material placed before this Court plus the averments made, this Court is satisfied that the applicants meet the legal requirements necessary for them to adopt the minor. In the end, I find the summons 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

.....
J. K. SERGON

JUDGE

In the presence of :-

C/Assistant – Rutoh

Mwita for the Applicant

