



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT ELDORET
ADOPTION CAUSE NO.1 OF 2003

IN THE MATTER OF NAMAN KILI TIREITO

AND

ESTHER KIMUNAI APPLICANT

RULING

This is an application for adoption of an infant made by Esther Kimunai of Kapsabet. The infant is known as Kili Agui and on adoption he will be known as Naman Kili Tireito. The applicant is a married woman and her husband Kimunai Tireito has given his consent for the adoption of the infant in a written consent dated 3rd March, 2003.

According to the documents filed in court the infant was under Juvenile Court Kapsabet Protection and Discipline case No. 7 of 2001 committed to the care and custody of the applicant Esther Kimunai on 6th March, 2001. At that time the infant was 5 years old.

I note from the statement in support of the application for an adoption order, that the applicant was born in 1945 and is therefore 58 years old. The infant does not appear to have documents evidencing his birth and it is stated in the ex-parte Originating Summons that the parents have abandoned him and cannot be traced. No copy of any document on the birth of the infant is in the file.

The Originating Summons was addressed to the Nandi District Children’s Officer. However, I see no report from the said Children’s Officer. Before I proceed to grant an adoption order in favour of the applicant, it is important that I see a written report of the Nandi District Children’s Officer which will assist me in making the appropriate orders. I therefore direct that the Nandi District Children’s Officer prepare a report on this application for adoption which report should be submitted in court to assist the court in determining the matter. The applicant to ensure that the Children’s Officer prepare the report. After the report is ready a hearing date will be taken in the registry.

Dated and Delivered at Eldoret this Day of 2004.

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George Dulu,

Judge



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