



Case Number:	Adoption Cause 188 of 2010
Date Delivered:	04 Oct 2012
Case Class:	Civil
Court:	High Court at Nairobi (Milimani Law Courts)
Case Action:	Judgment
Judge:	Leonard Njagi
Citation:	IN RE ADOPTION OF BABY C.M. (Infant) [2012] eKLR
Advocates:	-
Case Summary:	-
Court Division:	Family
History Magistrates:	-
County:	-
Docket Number:	-
History Docket Number:	-
Case Outcome:	-
History County:	-
Representation By Advocates:	-
Advocates For:	-
Advocates Against:	-
Sum Awarded:	-
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**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 4<sup>th</sup> day of October, 2012

**L. NJAGI**

**JUDGE**



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