

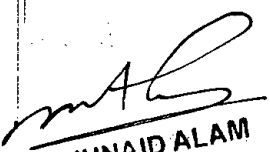
Order No. 07  
15.03.2025

Petitioner along with counsel present. Respondents (public at large) have already been placed and proceeded against ex-parte. Remaining ex-parte evidence recorded as PW-04 & PW-05 and closed. Ex-parte arguments heard and file perused.

Petitioner Taj Muhammad S/O Aqal Muhammad R/O Qoum Stori Khel, Tehsil Lower, District Orakzai has filed the instant petition for grant of Guardianship Certificate regarding their minor brother and sister namely Gul Muhammad and Mst. Naveeda Bibi. It has been alleged that petitioners is the son of deceased Aqal Muhammad. Father of minor died on 16.04.2012 while mother of minor died on 07.0.2016. It was further alleged that petitioner is the guardian of minors named above and the interest of petitioner and minors are common and there is no conflict in their interest, therefore, he may be appointed as guardian of minors named above.

Respondents /public at large were summoned through publication in daily "AWSAF" but no one appeared before the court to contest the instant application, hence, they were placed and proceeded against ex-parte vide order dated 11.03.2025.

Thereafter, petitioner produced five witnesses.

  
MUHAMMAD JUNAID ALAM  
Civil Judge / JM-II  
Orakzai at Kalaya

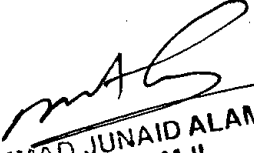
Accordingly, Petitioner Taj Muhammad himself appeared and deposed as PW-01 who is the brother of minors. He stated that their parents have been died. Copy of his CNIC Ex.PW-1/1. FRC is Ex.PW-1/2. Death certificate of mother and father of minors are Ex.PW-1/3 & Ex.PW-1/4 respectively. Birth certificate of minors are Ex.PW-1/5 & Ex.PW-1/6 respectively. He lastly requested for grant of Guardianship Certificate.

Jahanzib Khan and Muhammad Islam appeared deposed as PW-02 & PW-03. They stated that minor namely Gul Muhammad is the son and Naveeda Bibi is the daughter of deceased Aqal Muhammad. Copies of their CNICs are Ex.PW-2/1 and Ex.PW-3/1 respectively.

Sabir Rehman and Ihsan Ullah brothers of petitioner appeared and deposed as PW-04 & PW-05. They stated that minors namely Gul Muhammad is their brother and Naveeda Bibi is their sister. They further stated that they are five brothers and five sisters. Copies of their CNICs are Ex.PW-4/1 & Ex.PW-5/1 respectively. They lastly requested for grant of Guardianship Certificate.

Thereafter, ex-parte evidence of petitioner was closed.

Petitioner has proved through his ex-parte evidence to be the guardian of minor named above. There is nothing on the

  
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case file to suggest that there is conflict of interest between petitioner and minors, hence, the Guardianship Certificate, as prayed for, is granted in favour of petitioner subject to furnishing surety bond in the sum of Rs: 200,000/- (Two Lac Rupees) with two local and reliable sureties each in the like amount to the satisfaction of this court with a blank stamp paper. The sureties must be men of means.

*Notwithstanding, the matter of pension is falling within the ambit of special Law/rules. The department concerned may proceed as per rules accordingly.*

File be consigned to the record room after its proper compilation and necessary completion.

**Announced:**

15.03.2025



(Muhammad Junaid Alam)  
Civil Judge-II/Guardian Judge,  
Kalaya, Orakzai.