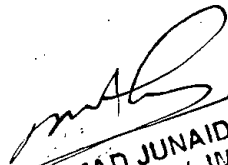


Order No. 03
17.04.2025

Brother of petitioner namely Muhammad Haroon along with counsel present. He filed special power of attorney on behalf of petitioner, which is placed on file. Inquiry report received, which is placed on file. Publication received but no one appeared on behalf of public at large hence, placed and proceeded ex-parte. Ex-parte evidence recorded as PW-01 to PW-03 & closed. Ex-parte arguments heard and file perused.

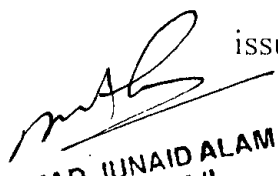
Petitioner namely Mst: Rabia Bibi widow of Syed Fazal Rauf, R/O Qaum Stori Khel, Tappa Syeddan, Tazi Khel, Tehsil Lower, District Orakzai has filed the instant petition for grant of Guardianship Certificate regarding her minor children namely 1. Syed Muhammad Behran (son), 2. Syed Muhammad Uzair (son), 3. Syed Muhammad Anas (son) 4. Syed Shah Fahad (son) 5. Syed Abu Huraira (son) 6. Sohana Bibi (daughter) 7. Behshat Bibi (daughter). It has been alleged that petitioner is the widow of deceased Syed Fazal Ruaf who died on 25.04.2024. That father of minors has left amount which is lying in Allied Bank at Tirah Bazar Kohat, account No. 0010024318160014 and after his death, his minors are entitled to receive the said amount. It is further alleged that petitioner is the natural guardian of minors named above and the interest of petitioner and minors is common and there is no conflict in their interest, therefore, she may be appointed as guardian of minors named above.


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Civil Judge / JM-II
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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 ex-parte.

Thereafter, petitioner produced three witnesses.

Special attorney for petitioner No.1 namely Syed Muhammad Haroon appeared and recorded his statement as PW-01. He stated that petitioner is his sister. Petitioner have seven children. Special attorney is Ex.PW-1/1. Copy of Form-B of minors is Ex.PW-1/2. Copy of FRC consist of two pages is Ex.PW-1/3. Syed Fazal Rauf was died on 25.04.2024. Copy of his death certificate is Ex.PW-1/4. Petitioner/widow of deceased Syed Fazal Rauf had not got second marriage. Copy of his CNIC is Ex.PW-1/5. He lastly requested for issuance of Guardian Certificate in her favour.


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Orakzai at Kalaya

Taj Muhammad relative of petitioner appeared and deposed himself as PW-02. He stated that Syed Fazal Rauf died on 25.04.2025. Deceased have seven children. He support the content of petition and request for grant of Guardianship Certificate in favor of petitioner Mst: Rabia Bibi.

Syed Shah Hussain, cousin of petitioner appeared and recorded his statement as PW-03. He stated that husband of petitioner namely Syed Fazal Rauf died on 25.04.2024. Deceased have seven children. Copy of his CNIC is Ex.PW-3/1. He lastly requested for grant of Guardianship Certificate in favor of petitioner namely Mst: Rabia Bibi.

Thereafter, ex-parte evidence of petitioner was closed.

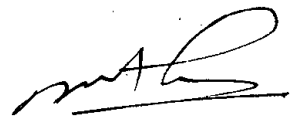
Petitioner has proved through their ex-parte evidence to be the natural guardian of minors named above. There is nothing on the case file to suggest that there is conflict of interest between petitioner and minors, hence, the Guardianship Certificate, as prayed for, is granted in favour of petitioner namely Mst: Rabia Bibi subject to furnishing surety bond in the sum of Rs: 500,000/- (Five 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:

17.04.2025



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