

**Order No. 04**  
24.03.2025

Petitioner through counsel present. Najaf Ali filed special power of attorney on behalf of petitioner, 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 arguments heard and record perused.

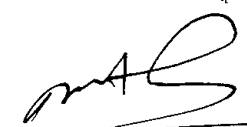
Petitioner namely Shahnaz widow of Muhammad Ilyas, R/O Qaum Sepoy, Tappa Metakhan Khel Tehsil Lower, District Orakzai has filed the instant petition for grant of Guardianship Certificate regarding her minor childrens namely Shaiza and Arsha e Baree. It has been alleged that petitioner is the widow of deceased Muhammad Ilyas who died on 26.11.2024. It is further alleged that petitioner is the natural guardian of minors named above and the interest of petitioner and minors are common and there is no conflict in their interest, therefore, she 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 ex-parte.

Thereafter, petitioner produced three witnesses.

Special attorney for petitioner appeared and deposed himself as PW-1.

01. Special attorney is Ex.PW-1/1. Husband of petitioner died on 26.11.2024. Copy of death certificate of deceased Muhammad Ilyas is Ex. PW-1/2. Form-B of minors is Ex.PW-1/3. Petitioner is the real mother of minors. Copy of CNIC of petitioner is Ex.PW-1/4. Copy of CNIC of deceased Muhammad Ilyas is Ex.PW-1/5 and service certificate is Ex.PW-

  
MUHAMMAD JUNAID ALAM  
Civil Judge / JM-II  
Orakzai Kalaya


1/6. Copy of his CNIC is Ex.PW-1/7. Succession certificate issue by the court of CJ-II Kalaya Ex.PW-1/3. FRC is Ex.PW-1/4. He lastly requested for issuance of guardianship certificate in favour of petitioner.

Cousin of petitioner namely Jabar Hussain appeared and deposed himself as PW-02. He stated that husband of petitioner namely Muhammad Ilyas has been died. Petitioner have two minors children's. Copy of his CNIC is Ex.PW-2/1.

There is nothing on the case file to suggest that there is conflict of interest between petitioner and her minor children, hence, the Guardianship Certificate, as prayed for, is granted in favour of petitioner subject to furnishing surety bond in the sum of Rs: 100,000/- (One 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.

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

**Announced:**  
24.03.2025

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