

Order 04
19.06.2025


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

Petitioner Aslam Ahmad S/O Gul Bahadar Khan R/O Qoum Bizot, Tappa Bitani Tehsil Lower, District Orakzai has filed the instant petition for grant of Guardianship Certificate regarding his minor brother namely Faraz Ahmad. It has been alleged that petitioner is the son of deceased Gul Bahadar Khan. Father of minor died on 13.08.2021 while mother of minor also died. It was further alleged that petitioner is the guardian of minor named above and the interest of petitioner and minor is common and there is no conflict in his interest, therefore, he may be appointed as guardian of minor 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.

Thereafter, petitioner produced three witnesses.

Accordingly, petitioner Aslam Ahmad himself appeared and deposed as PW-01 who is the brother of minor. He stated that their parents have been died. Death certificate of father of petitioner Ex.PW-1/1. Birth certificate of minor Ex.PW-1/2. Copy of his CNIC


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

Ex.PW-1/3. He lastly requested for grant of Guardianship Certificate.

Zeeshan Ahmad and Jaidad Khan appeared deposed as PW-02 & PW-03. They stated that father and mother of petitioner have been died. Copies of their CNICs are Ex.PW-2/1 and Ex.PW-3/1 respectively. They lastly requested for grant of Guardianship Certificate.

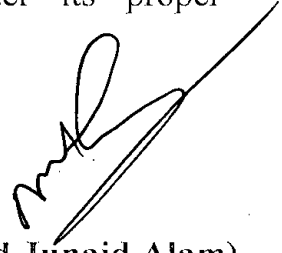
Thereafter, ex-parte evidence of petitioner was closed.

Petitioner has proved through his ex-parte evidence to be the guardian of minor named above. There is nothing on the case file to suggest that there is conflict of interest between petitioner and minor, 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.

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:
19.06.2025


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