

Order No. 03

22.12.2025


Attorney for petitioner alongwith counsel present. 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 and closed. Ex-parte arguments heard and record perused.

Petitioner namely Mst: Iltimas Jan widow of Bair Ali, R/O Qaum Mani Khel, Tehsil Lower, District Orakzai has filed the instant petition for grant of Guardianship Certificate regarding her minor's children namely Tatheer Ali and Jasmine Zahra. It has been alleged that petitioner is the widow of deceased Bair Ali who died on 07.11.2025. 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 petitioners appeared and deposed as PW-01. He stated that husband of petitioner died on 07.11.2025. Copy of death certificate is Ex.PW-1/1. FRC is Ex.PW-1/2. Special attorney is Ex.PW-1/3. Copy of his CNIC is Ex.PW-1/4 and copy of CNIC of petitioner is Ex.PW-1/5. He lastly requested for issuance of Guardianship Certificate in favour of petitioners.


MUHAMMAD JUNAID ATIQ
Civil Judge / JM-II
Orakzai at Kalay

Zahir Khan and Zahid Khan appeared and deposed as PW-02 & PW-03 respectively. They stated that husband of petitioner on 07.11.2025. Petitioner have two minor's children. Photocopy of their CNICs are Ex-PW-2/1 & Ex-PW-3/1.

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:

22.12.2025



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