

Order No. 06
07.09.2026

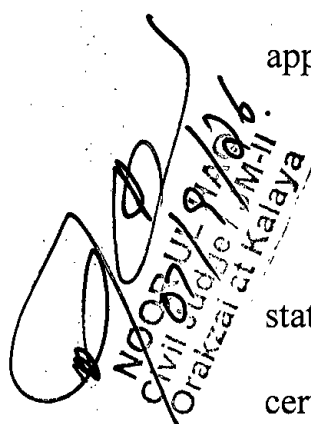
Petitioner through counsel present. One Feroz Ali filed special power of attorney on behalf of petitioner, which is placed on file. Ex-parte evidence recorded as PW-01 to PW-03 & closed. arguments heard and record perused.

Petitioner namely Shahid Raza S/O Jamshid Ali R/O Qoum Bar Muhammad Khel, Tappa Khwaidad Khel, Tehsil Lower, District Orakzai has filed the instant petition for grant of Guardianship Certificate regarding his minor sister namely Nazish. It has been alleged that petitioner is the son of deceased Jamshid Ali Mst: Mir Begum. Father of petitioner died on 15.10.2006 while mother of petitioner died on 08.06.2015. The interest of petitioner and his minor sister is common and there is no conflict in their 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 ex-parte.

Thereafter, petitioner produced three witnesses.

Special attorney for petitioner appeared and deposed as PW-01. He stated that father of petitioner died on 15.10.2006. Copy of his death certificate is Ex.PW-1/1. Mother of petitioner also died. Her death certificate is Ex.PW-1/2. He further stated that petitioner has one minor sister namely Nazish. Special attorney is Ex.PW-1/3. Birth certificate of Nazish is Ex.PW-1/4 & Smart Card of Gul Shereen is Ex.PW-1/5. Copy of his CNIC is


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Ex.PW-1/6. He lastly requested for issuance of Guardianship Certificate in favour of petitioner.

Akseer Ali maternal uncle of petitioner appeared and deposed as PW-02. He stated that petitioner is the son of her sister. Parent of petitioner has been died. He further stated that petitioner has one minor sister namely Nazish. Copy of his CNIC is Ex.PW-2/1.

Mehtab Ali relative of petitioner appeared and deposed as PW-03. He stated that parent of petitioner has been died. Copy of his CNIC is Ex.PW-3/1.

There is nothing on the case file to suggest that there is conflict of interest between petitioner and her minor sister, 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.

Note: The instant petition was filed seeking issuance of a guardianship certificate in respect of minors namely Nazish and Gul Shereen, who were described as minors in the petition. However, after perusal of record it reveals that Gul Shereen has attained the age of 19 years. Thus, she is no longer a minor and does not fall within the scope of guardianship proceedings. Her status as a minor, as mentioned in the petition, is therefore not supported by the record.

In view of the above, the prayer for issuance of guardianship certificate in respect of Gul Shereen cannot be allowed, as she has already attained

majority. The guardianship certificate is accordingly confined to minor Nazish only.

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

Announced:

07.09.2026


(Noor Ul Haq)
Civil Judge/Guardian Judge-II,
Kalaya, Orakzai