Order No 06
14.10.2026

Brother of petitioner alongwith counsel present. 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: Rosta Mina widow of Ashor Khan, R/O Qaum Feroz Khel, Tappa Qimat Khel, Tehsil Lower, District Orakzai has filed the instant petition for grant of Guardianship Certificate regarding her minor's children namely Sapna Bibi, Waqas Khan and Afia Bibi. It has been alleged that petitioner is the widow of deceased Ashor Khan who died on 01.10.2025. 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 "Ausaf" 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.

Yasir Khan brother of petitioner appeared and deposed as PW-01. He stated that husband of petitioner was died on 01.10.2025 at Hayat Medical Complex, Peshawar. Petitioner have three minor children namely Sapna Bibi, Waqas Khan and Afia Bibi. Copy of his CNIC is Ex.PW-1/1. He lastly requested for issuance of guardianship certificate in favour of petitioner.

Noor Mat Khan appeared and deposed as PW-02. Copy of his CNIC is Ex.PW-2/1. He stated that his son was died on 01.10.2025. He lastly requested for issuance of guardianship certificate in favour of petitioner.

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:
14.10.2026

14/10/26.

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