Order No 03
15.10.2026

Special attorney for petitioners 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: Asia Bibi widow of Murtaza 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 Muhammad Afnan, Mairesh Bibi and Afia Bibi. It has been alleged that petitioner is the widow of deceased Murtaza Khan who died on 27.07.2026. 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 "Mashriq" 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.

Sabir Ahmad special attorney for petitioner appeared and deposed as PW-01. Copy of his CNIC is Ex.PW-1/1 & Special power of attorney is Ex.PW-1/2. Husband of petitioner died on 27.07.2026. Petitioner has three minor children namely Muhammad Afnan, Mairesh Bibi and Afia Bibi. Copy of death certificate of deceased is Ex.PW-1/3. Cancellation of card is Ex.PW-

19/10/26

NOOR UL HAQ
Civil Judge / JM
Orakzai at Kalaya

4

1/4 and FRC is Ex.PW-1/5. He lastly requested for issuance of guardianship certificate in favour of petitioner.

Abdul Basit brother of petitioner appeared and deposed as PW-02. He stated that husband of petitioner died on 27.07.2026. Copy of his CNIC is Ex.PW-2/1. 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: 500,000/- (Five 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:
15.10.2026

15/10/26

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