


Order No. 08
24.02.2023

Attorney of petitioner along with counsel present. Respondents have already been placed ex-parte. Evidence of petitioner recorded as PW-01 to PW-03 and closed. Ex-parte arguments also heard and record perused.

Petitioner namely Satar Meena widow of Mir Shah, R/O Qaum Feroz Khel, Tappa Ghairat Khel, District Orakzai has filed the instant petition for grant of Guardianship Certificate regarding her minor children namely 1. Zeeshan Ahmad (son) and 2. Muhammad Salman (son). It has been alleged that petitioner is the widow of deceased Mir Shah who died on 08.01.2019. It is further alleged that petitioner is the natural guardian of minors named above and the interest of petitioner and minors is 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 against ex-parte.

Thereafter, petitioner produced three witnesses.


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Accordingly, son of petitioner (attorney for petitioner) namely Muhammad Zahid appeared and deposed as PW-01. Copy of CNIC of petitioner is Ex. PW-1/1. Death certificate of deceased Mir Shah is Ex. PW-1/2. Copy of Special Power of Attorney is Ex. PW-1/3. He stated that petitioner is the mother of minors and father of minors died on 08.01.2019. Copy of smart cards of minors is Ex. PW-1/4. He further stated that except petitioner, there is no one else taking care of minors and requested for the grant of Guardianship Certificate.

Relative of petitioner namely Ahmad Kareem appeared and deposed as PW-02. Copy of his CNIC is Ex. PW-2/1. He stated that husband of petitioner died and the petition may be accepted in favour of petitioner.

Another relative of petitioner namely Javid Kareem appeared and deposed as PW-03. Copy of his CNIC is Ex. PW-3/1. He supported the contents of petition and requested for issuance of guardianship certificate.

Thereafter, ex-parte evidence of petitioner was closed.

There is nothing on the case file to suggest that there is conflict of interest between petitioner and her minor sons, hence, the Guardianship Certificate, as prayed for, is granted in favour of


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petitioner subject to furnishing surety bond in the sum of Rs: 200,000/-
(Two 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:
24.02.2023



(Zahir Khan)
Civil Judge-I/Guardian Judge,
Kalaya, Orakzai