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**Order No. 03**  
15.08.2020

DPP, Umar Niaz for the state and Adnan Javid  
Advocate alongwith petitioner present.

- (2). Through the petition in hand, petitioner/mother requested for the recovery of minors, Mst. Kainat Bibi aged about 12/13 years and Muhammad Obaid, aged about 7 years in custody of respondents i.e. father and brother of petitioner. The respondents also present in person.
- (3). The minors upon production in the court were inquired and both shown willingness to go with their mother/petitioner and to this effect statement of the minor Mst. Kainat Bibi recorded and placed on file besides the statement of petitioner also recorded and placed on file. The respondent no. 2 Muhammad Tahir who is the brother of the petitioner is reluctant to hand over the custody of the minors to the petitioner. But however, respondent no. 1 has no right of his hiznat and the mother being the natural and legal guardian is entitled for the custody of minors which is in the best interest and welfare of minors.
- (4). In the light of what stated above, the petition has met his purpose and is accordingly disposed of.
- (5). File be consigned to the Sessions Record Room after its necessary completion and compilation.

**Announced:**  
15.08.2020

  
**(ASGHAR SHAH)**  
Sessions Judge, Orakzai  
at Baber Mela.