

**Order No. 06**  
**17.08.2022**

Petitioner along with counsel present. Remaining evidence of petitioner recorded as PW-03 and closed. Respondents (public at large) have already been placed and proceeded against ex-parte. Ex-parte arguments heard and record perused.

Petitioner namely Gul Nafa Jan W/O Shabar Ali, Qoum Mani Khel, Tappa Mirwas Khel, Village Qalat, Tehsil Lower, District Orakzai has filed the instant petition for grant of Guardianship Certificate regarding her minors children namely Furqan Ali and Hamsha Gul. It has been alleged that petitioner is the wife of deceased Shabar Ali who died on 04.02.2021. That father of minor has savings in shape of Special Saving Certificates and after his death, his minors are entitled to received leftover amount lying in National Saving Center, Kohat. 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, 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 against ex-parte vide order dated 05.08.2022.

Thereafter, petitioner produced three witnesses.

*Gul!*

17/08/022

ZAKIR KHAN  
CIVIL JUDGE  
Kalaya Orakzai

Accordingly, relative of petitioner namely Naqeeb Ali appeared and deposed as PW-01. Copy of his CNIC is Ex. PW-1/1. He supported the contents of petition.

Relative of petitioner namely Israaf Ali appeared and deposed as PW-02. Copy of his CNIC is Ex. PW-2/1. He stated that husband of petitioner died and petitioner is taking care of his minors.

Petitioner herself appeared and deposed as PW-03. Copy of her CNIC is Ex. PW-3/1. Copy of CNIC of her husband is Ex. PW-3/2. Form B of minors is Ex. PW-3/3. She stated that her husband left 2 lacs 10 thousand amount in shape of Savings Certificates. Amount is lying in National Saving Center, Kohat which are Ex. PW-3/4 to Ex. PW-3/6. Copy of Succession Certificate is Ex. PW-3/7. She also stated that the said amount lying in the said center is required for taking care of minors and requested for the grant 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 son and daughter, hence, the Guardianship Certificate, as prayed for, is granted in favour of 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.*

*ZM*

17/08/2022

ZAHIR KHAN  
C.M. JUDGE  
Kalya Orakzai

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

**Announced:**  
17.08.2022



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