

**Order No. 18**  
**08.10.2022**

Petitioner through counsel present. Respondents (public at large) have already been placed and proceeded against ex-parte. Ex-parte arguments heard and record perused.

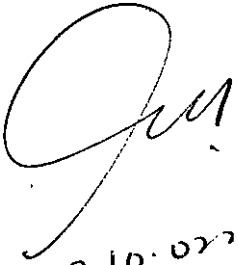
Petitioner namely Roqmila Jan widow of Muhammad Khan, R/O Qoum Spye, Tehsil Lower, District Orakzai has filed the instant petition for grant of Guardianship Certificate regarding her minor children namely Haseena Bibi (Daughter), Ilm-E-Raza (Son) and Muhammad Raza (Son). It has been alleged that petitioner is the widow of deceased Muhammad Khan who died on 24.12.2020 who was serving in Frontier Corps. That father of minors has left amount lying in bank account in Habib Bank Limited, Sherkot Branch and after his death, his minors are entitled to receive the said amount lying in the said bank. 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 "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 07.10.2022.

Thereafter, petitioner produced three witnesses.

Accordingly, petitioner herself appeared and deposed as PW-01.

Copy of her CNIC is Ex. PW-1/1. Form B of minors, death certificate

  
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Civil Judge/JM  
Kalaya Orakzai

of deceased and FRC are Ex. PW-1/2 to Ex. PW-1/4. She lastly requested for the grant of Guardianship Certificate.

Relative of petitioner namely Gul Ali appeared and deposed as PW-02. Copy of his CNIC is Ex. PW-2/1. He supported the contents of petition.

Cousin of petitioner namely Ilyas Khan appeared and deposed as PW-03. Copy of his CNIC is Ex. PW-3/1. He also supported the contents of petition.

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 children, 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.*

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

**Announced:**  
08.10.2022



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