

COURT OF SENIOR CIVIL JUDGE/JM, ORAKZAI AT BABER MELA

Case Title: Mst Zubaida Jalil VS Public at Large.

(2)


Serial No of order or proceedings	Date of Order Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary
1	2	3
Order.03	29.11.2022	<p>Petitioner present through attorney and counsel.</p> <p>Counsel for the petitioner submitted an application for the correction of name of the minor Muhammad Tameem instead of Muhammad Naseem by contending that the correct name is Muhammad Tameem but inadvertently it has been mentioned as Muhammad Naseem. Petitioner has already annexed copy of Form - B with petition. The perusal of which depicts that his name has been mentioned as Muhammad Tameem, hence request of petitioner is accepted and the name is hereby corrected as Muhammad Tameem instead of Muhammad Naseem. Muharrir of the court is directed to correct the same with red ink in the petition.</p> <p>Petitioner's evidence recorded. Argument heard and case file perused.</p> <p>Perusal of case file reveals that the instant petition instituted by the petitioner for appointment as legal guardian for the person and properties of the minors namely 1). Muhammad Tameem s/o Muhammad Jalil, 02). Mst Bibi Zeena d/o Muhammad Jalil, 03) Refaat s/o Muhammad Jalil and 4) Muhammad Sodes s/o Muhammad Jalil mentioned in the petition on the grounds that the petitioner is the real mother of the minors.</p> <p>The respondent/general public was summoned through publication in newspaper "Daily Ausaf" dated: 26th November, 2022, however none turned up as legal guardian of the minors other than the petitioner. Therefore, the respondent proceeded ex-parte. Consequently, petitioner produced ex-parte evidence.</p> <p>At this stage there seems to be no clash of interest between the minors and the petitioner, being a real mother of the minors, in the light of statements of witnesses produced by the petitioner. It is evident that minors are residing presently with the petitioner, who is looking after them. As real mother, she is most likely to take care of the welfare of the minors. Therefore, the petition in hand is accepted</p>

REHMAT ULLAH WAZIR
Senior Civil Judge/JM,
Orakzai at Baber Mela

(3) (4)

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<p>Order .03 Continued</p>		<p>under Section-07 of Guardian & Wards Act, 1890 and petitioner is appointed as guardian of the person of the above minors having generally the rights, duties and liabilities of a guardian mentioned in the Guardian & Wards Act, 1890 and subject to the following conditions especially in view of section-34 of the said Act.</p> <ul style="list-style-type: none">• <i>That she will produce the minors in court as and when required by the court.</i>• <i>That she will maintain and educate the minors in proper manner.</i>• <i>That she will not take away the minors outside the jurisdiction of this court without prior permission.</i>• <i>That she will not act in prejudice to the interest of minors.</i>• <i>That you will not be entitled to dispose of the property of minors without prior permission of the court.</i> <p>Original guardianship certificate be given to the petitioners' subject to surety bonds while copy of the certificate be placed on file.</p> <p>File be consigned to the record room after its necessary compilation and completion.</p> <p>Announced 29/11/2022</p> <p> (Rehmat Ullah Wazir) SCJ/Succession & Guardian Judge, Orakzai (Baber Mela)</p> <p>REHMAT ULLAH WAZIR Senior Civil Judge/JM, Orakzai at Baber Mela</p>
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