

O-07
25-11-22

Counsel for the petitioner Present.
Arguments heard today. File to
come up for order on 30.11.2022


OMAR AZMAT KHAN
Senior Civil Judge (Judicial)
Haripur

ORDER NO. 08
30.11.2022

Learned counsel for the petitioner present.

Through this instant petition, petitioner seeks his appointment as legal guardian of his father to the extent of his pension on the grounds that his father is old age and disable person. He is not able to visit the bank to collect his pension.

The respondent i.e. public at large was summoned through publication of the Court notice in daily newspaper but no one appeared on its behalf, hence, placed ex parte. Ex-parte evidence of the petitioner was recorded and closed on 19.10.2022.

According to ex parte evidence petitioner seeks his appointment as legal guardian to the extent of pension of his father, namely Habib Ur Rehman, on the grounds that he is old age and disable person and he is not able to visit the bank to collect his monthly pension. However, the person to the extent of whom the petition seeks his appointment as legal guardian under the Guardians and Wards Act, is not minor. The Guardians and Wards Act 1875 defines the Ward as;



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4

CONT. OR NO. 08
30.11.2022

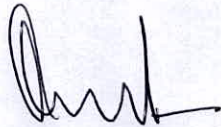
“ ‘ward’ means a minor for whose person or property, or both, there is a guardian.”

The record is crystal clear that the petitioner seeks his appointment as legal guardian of his father, who does not come within the definition of Ward.

Therefore, from the above discussion it is clear that a person can only be appoint as legal guardian of the person and property of a minor only, therefore, in the present circumstances petition in hand is hereby dismissed.

File be consigned to the Record Room after its compilation & completion.

ANNOUNCED
30.11.2022


OMAR AZMAT KHAN
SCJ / Guardian Judge, Haripur
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Senior Civil Judge (Judicial)
Haripur
30-11-2022