

Order-05
02/01/2023

Petitioners present through counsel and attorney.

Petitioner's evidence recorded and closed.

Arguments heard and record perused.

2. Through publication in daily newspaper "Ausaf" dated; 13.12.2022 general public was asked to submit objections, if any, however, no one appeared before the court, so ex-parte proceedings were conducted.

3. Petitioner No. 1) Zulfiqar Ali (Son), 2) Gul Jan Ali (Son), 3) Sajjad Ali (Son), 4) Mst Yasmina Bibi (Daughter), 05) Mst Tajmeena Bibi (Daughter), 06) Mst Shamim (Daughter) and 07) Mst Rehana Bibi filed the instant application. Zulfiqar Ali (attorney) recorded his statement as PW-1, Iqtidar Ali as PW-2 and Farman Ali as PW-3 testified respectively. PW-1 submitted his power of attorney as Ex.PW-1/1, copy of his CNIC as Ex.PW-1/2, Copy of death certificate as Ex.PW-1/3, Bank Account statement as PW-1/4, Pass book of Post office as Ex.PW-1/5 and FRC as Ex.PW-1/6. All the exhibited documents, publication and report of process server etc. are placed on file. Contents of the petition were reproduced and verified by the witnesses.

The available record on file prima facie establishes that petitioners are the legal heirs of deceased Marjan Ali as there is nothing in rebuttal. Hence, petitioners will inherit the legacy of deceased as per following shares;

S. No	Name of petitioner legal heirs	Major/minor	Date of Majority	Relation with deceased	Share Percentage
1	Zulfiqar Ali	Major	N.A	Son	20%
2	Gul Jan Ali	Major	N.A	Son	20%
3	Sajjad Ali	Major	N.A	Son	20%

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

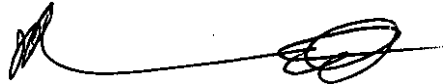
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4	Mst Yasmina Bibi	Major	N.A	Daughter	10%
5	Mst Tajmeena	Major	N.A	Daughter	10%
6	Mst Shamim	Major	N.A	Daughter	10%
7	Mst Rehana Bibi	Major	N.A	Daughter	10%

5. As, there is no other legal heir of deceased and considering the request of the petitioners being genuine this application is allowed along with accrued profit and Succession Certificate is issued in favour of petitioners, subject to surety bond/undertaking to the tune of Rs. 500,000/- with 02 local sureties each in the like amount to the satisfaction of this court. If any legal heir/objector appear in future, the petitioners and the sureties will be responsible for the payment. Parties are left to bear their own cost. Original succession certificate be given to the petitioners' subject to surety bonds while copy of the certificate be placed on file.

6. File be consigned to the Record Room after its necessary completion and compilation.

Announced
02/01/2023


(REHMAT ULLAH WAZIR)
SCJ/Succession & Guardian Judge,
Orakzai (Baber Mela)