

(4)

Order-05
08/02/2023

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; 26.01.2023 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) Mst Laiq Mina (Widow), 2) Mst Zalfa Bibi (Daughter), 3) Mst Laja Bibi (Daughter), 4) Mst Munir Bibi (Daughter), 05) Muhammad Ameen (Son), 06) Mst Shaka Bibi (Daughter), 07) Mst Mashal Begum (Daughter), 08) Muhammad Ameen (Son) and 09) Ajmal Khan (Son) filed the instant application. Muhammad Ameen (attorney) recorded his statement as PW-1, Sakhi Muhammad as PW-2 and Abdullah 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 of deceased as Ex.PW-1/3, Bank Account statement as PW-1/4 and FRC as Ex.PW-1/5. 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 Khial Muhammad 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 | Mst Laiq Mina | Major | N.A | Widow | 12.52% |

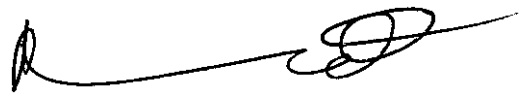
REHMAT ULLAH WAZIR
Senior Civil Judge/JM,
Orakzai at Baher Mela

| | | | | | |
|---|------------------|-------|-----|----------|--------|
| 2 | Muhammad Ameen | Major | N.A | Son | 15.91% |
| 3 | Muhammad Ullah | Major | N.A | Son | 15.91% |
| 4 | Ajmal Khan | Major | N.A | Son | 15.91% |
| 5 | Mst Zalfa Bibi | Major | N.A | Daughter | 7.95% |
| 6 | Mst Laja Bibi | Major | N.A | Daughter | 7.95% |
| 7 | Mst Munir Bibi | Major | N.A | Daughter | 7.95% |
| 8 | Mst Shaka Bibi | Major | N.A | Daughter | 7.95% |
| 9 | Mst Mashal Begum | Major | N.A | Daughter | 7.95% |

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
08/02/2023


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