

③

Order -03
13/02/2023

Petitioner present through attorney and counsel.

Inquiry report has been returned and place on file. Publication received but none present on behalf of public at large. Hence, public at large is proceeded ex-parte.

Petitioner's evidence recorded and closed.

Arguments heard and record perused.

Through publication in daily newspaper "Ausaf" dated; 10.02.2023 general public was asked to submit objections, if any, however, no one appeared before the court, so ex-parte proceedings were conducted.

Petitioners namely Mst Khial Zarina (Daughter), Muhammad Hayat (Son), Sarfaraz (Son), Muhammad Jalil (Son) filed the instant application. Sarfaraz (Attorney) recorded his statement as PW-1, Sher Jan as PW-2 and Hussain Badshah as PW-03. PW-1 submitted his special 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, FRC as EX.PW-1/4. 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 as there is nothing in rebuttal. Hence, petitioners will inherit the legacy of deceased as per following shares;

S. No	Name of petitioner legal heir	Major/min or	Date of Majority	Relation with deceased	Share Percentage
1	Mst Khial Zarina	Major	N.A	Widow	12.5%
2	Muhammad Hayat	Major	N.A	Son	29.17%
3	Sarfaraz	Major	N.A	Son	29.17%
4	Muhammad Jalil	Major	N.A	Son	29.17%

The share of minors if any shall be deposited to the official account of Senior Civil Judge, Orakzai.


As, there is no other legal heirs 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,

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

subject to surety bond/undertaking to the tune of Rs. 500,000/- (five lacs) 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 petitioner subject to surety bonds while copy of the certificate be placed on file.

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

Announced
13/02/2023


(Rehmat Ullah Wazir)
SCJ/Succession & Guardian Judge,
Orakzai (Baber Mela)