

Order -05  
14/02/2023

Petitioner present through attorney and counsel.

List of legal heirs of deceased submitted. Muharrir of the court is directed to incorporate the names of legal heirs of the deceased in petition with red ink. Petitioner's evidence recorded and closed. Arguments heard and record perused.

Through publication in daily newspaper "Ausaf" dated; 02.02.2023 general public was asked to submit objections, if any, however, no one appeared before the court, so ex-parte proceedings were conducted.

Petitioners Mst Zar Jana (Widow), Umar Farooq (Son), Umar Zada (Son), Muhammad Sajid (Son), Umar Shaheen (Son), Umar Sabir (Son), Umar Saleem (Son), Umar Ghafran (Son), Mst, Madina Bibi (Daughter), Mst Dildar Jana (Daughter), Mst Noor Jana (Daughter), Mst Nazia (Daughter) and Mst Sultani Bibi (Daughter), filed the instant application. Daulat Shah (Attorney) recorded his statement as PW-1, Ali Majan as PW-2 and Umar 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 CNIC of petitioner No. 1 as Ex.PW-1/3, copy of death certificate of deceased as Ex.PW-1/4, CNIC of deceased as EX.PW-1/4, copy of FRC as Ex.PW-1/5, the list of legal heirs of deceased as Ex.PW-1/6, The copy of CNIC of deceased as Ex.PW-1/7, Copies of CNICs of other petitioners as Ex.PW-1/8 and cancellation certificate of CNIC of deceased as Ex.PW-1/9. 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 Zar Jana	Major	N.A	widow	12.5%
2	Umar Farooq	Major	N.A	Son	9.72%

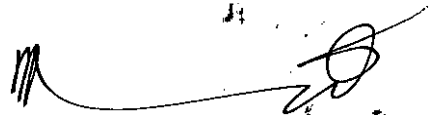
3	Umar Zada	Major	N.A	Son	9.72%
4	Muhammad Sajid	Major	N.A	Son	9.72%
5	Umar Shaheen	Major	N.A	Son	9.72%
6	Umar Sabir	Major	N.A	Son	9.72%
7	Umar Saleem	Major	N.A	Son	9.72%
8	Umar Ghafran	Major	N.A	Son	9.72%
9	Mst Madina Bibi	Major	N.A	Daughter	4.86%
10	Mst Dildar Jana	Major	N.A	Daughter	4.86%
11	Mst Noor Jana	Major	N.A	Daughter	4.86%
12	Mst Nazia	Major	N.A	Daughter	4.86%

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, subject to surety bond/undertaking to the tune of Rs. 500,000/- (five laes) 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's 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  
14/02/2023

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