

Order-04
18/02/2023

1. 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; 03.02.2023 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 Izat Meena (Widow), 2) Hidayat Ullah (Son), 3) Muhib Ullah (Son), 4) Umar Din (Father), 05) Mst Eid Mera Bibi (mother) and 06) Maaz Ullah (Son) filed the instant application. Muhammad Shoaib (attorney) recorded his statement as PW-1, Muhammad Sajid as PW-2 and Muhammad Gul 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, Copy of passport and Visa of deceased Muhammad Farooq as Ex.PW-1/4 and Ex.PW-1/5 respectively, Copy of 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 Muhammad Farooq 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	Umar Din	Major	N.A	Father	16.66%
2	Mst Eid Mera Bibi	Major	N.A	Mother	16.66%
3	Mst Izat Meena	Major	N.A	Widow	12.5%
4	Hidayat Ullah	Minor	15.01.2024	Son	18.06%
5	Muhib Ullah	Minor	20.05.2025	Son	18.06%
6	Maaz Ullah	Minor	10.04.2036	Son	18.06%


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

The share of minor at serial No. 4 to 6 be deposited to the official account of Senior Civil Judge, Orakzai. The petitioners at serial No. 4 to 6 will attend majority on the date mentioned in the certificate and their guardian will automatically cease to be a guardian on their respective dates of majority as mentioned above and they will be entitled to collect the amount from the concerned department as per their entitlement in the succession certificate.

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
18/02/2023


(REHMAT ULLAH WAZIR)
S.C.J./Succession & Guardian Judge,
Orakzai (Baber Mela)