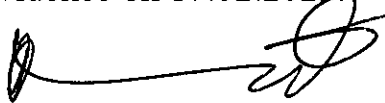



(4)

COURT OF SENIOR CIVIL JUDGE/JM, ORAKZAI AT BABER MELA

3/5 Case Title: Lal Mehmood etc. VS Public at large

Serial No of order or proceedings	Date of Order Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary
1	2	3
Order No 05	07.02.2023	<p>Petitioner No.5 present along with counsel.</p> <p>Petitioner's evidence not produced.</p> <p>Petitioner No.5 requested for adjournment due to non-availability of witnesses. Adjourned.</p> <p>File be put up for petitioner's evidence on 17.02.2023.</p> <p> (Rehmat Ullah Wazir) Senior Civil Judge Orakzai (at Baber Mela).</p>
Order -06	17.02.2023	<p>Petitioners present through attorney and counsel. Petitioner's evidence recorded and closed. Arguments heard and record perused.</p> <p>Through publication in daily newspaper "Ausaf" dated; 25.01.2023 general public was asked to submit objections, if any, however, no one appeared before the court, so ex-parte proceedings were conducted.</p> <p>Petitioners namely Lal Mehmood (Father), Awal Mir (Brother), Muhammad Shakeel (Brother), Muhammad Aqil (Brother), Muhammad Alim (Brother), Syed Amir (Brother), Mst Sadia Bibi (Sister), Mst Minaza (Sister) and Mst Bibi Zara (Sister) filed the instant application. Muhammad Alim (Attorney) recorded his statement as PW-1, Ihsan Ullah as PW-2 and Irfan Khan 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, copy of CNIC of deceased 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.</p> <p> REHMAT ULLAH WAZIR Senior Civil Judge/JM Orakzai at Baber Mela</p>

Order -06

17/02/2023

Continued...

The available record on file prima facie establishes that petitioner No. 1 is the father of the deceased while rest of the petitioners are brothers and sisters of the deceased. So, according to the sharia, the brothers and sisters of the deceased are excluded by the father of the deceased. Thus, only petitioner No. 1 (father) is the legal heir of deceased namely Muhammad Mumtaz and as there is nothing in rebuttal. Hence, petitioner No.1 will inherit the legacy of deceased as follows;

S. No	Name of petitioner legal heir	Major/min or	Date of Majority	Relation with deceased	Share Percentage
1	Lal Mehmood	Major	N.A	Father	100%

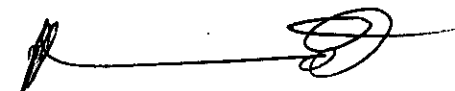
The share of minors if any shall be deposited to the official account of Senior Civil Judge, Orakzai.

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 petitioner No.1, 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 petitioner 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

17/02/2023



(Rehmat Ullah Wazir)

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