

Order -10
07/03/2023

Petitioners present through special attorney. Respondents already placed and proceeded ex-parte.


Petitioner No. 1) Syed Mubasir Ali Shah (Son), 2) Mst Bibi Romeen Janan (Widow), 3) Mst Bibi Munazam Zahra (Daughter), 4) Syed Mehdi Raza (Son), 05) Mst Bibi Nasheem Zahra (Daughter), 06) Mst Bibi Qurat-ul-Ain (Daughter) and 07) Syed Wahaj Mehdi (Son) have filed the instant petition for grant of succession certificate.

During course of recording evidence, Syed Mubasir Ali Shah (attorney) recorded his statement as PW-1, Syed Alim Shah as PW-2 and Syed Hameed Hassan 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 as Ex.PW-1/3, Bank Statement as PW-1/4, Form "B" of minors as Ex.PW- 1/5 and FRC as Ex.PW-1/6. 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 Syed Ijaz Hussain as there is nothing in rebuttal. Hence, petitioners will inherit the legacy of deceased as per their shari shares.

In the absence of any rebutting evidence, petitioners are hereby declared as the legal heirs of the deceased named above. Succession Certificate be issued in favour of the petitioners on furnishing surety bonds/undertaking in the sum of Rs: 100,000/- (One lac) with two local & reliable sureties each in the like amount to the satisfaction of this Court to the effect that if there appears any other legal heir of the deceased except above named legal heirs, they would be responsible to the court.

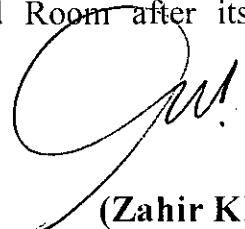
Before closing, it is pertinent to mention that this certificate does not confer any title to the holder of the certificate and does not


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Civil Judge/JM
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conclusively determine the shares in the securities/debts, rather this certificate is issued with the sole purpose to recover the securities/debts from the department concerned. Thus, any person(s), if aggrieved, may press his/their rights through a suit before a competent Forum and to recover the amount received on the basis of said certificate to the extent of his/their shares on the basis thereof. Similarly, this certificate does not place bar on the right of any aggrieved person to establish his/their title and entitlement in the dues of the deceased before a competent court of jurisdiction.

In case, if there is any minor (s) legal heir, then share of the minor (s) be kept intact and shall not be dispose of without prior permission of the Court.

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



(Zahir Khan)
CJ-I/Succession & Guardian Judge,
Tehsil Kalaya, Orakzai

Announced
07/03/2023