

04

Order-04
28.03.2023

Petitioner No. 2 along with counsel present. He submitted special power of attorney for remaining petitioners.


Court fee and list of witnesses submitted. Petitioner's evidence recorded as PW-01 to PW-03 and closed.

Arguments heard and record perused.

2. Through publication in daily newspaper "Ausaf" dated; 14.03.2023 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. 01 Ashoor Jan (Widow), 02. Irfan Khan (Son), 03. Kifayat Ullah (Son), 04. Hamid Ullah (Son) 05. Inam Ullah (Son), 06. Shabnam Bibi (Daughter), 07. Shakila Bibi (Daughter), 08. Asima Bibi (Daughter) and 09. Sehrish (Daughter), filed the instant application. Irfan Khan (special attorney) recorded his statement as PW-1, Tatheer Hussain as PW-2 and Muhammad Alam as PW-3. PW-1 submitted his power of attorney as Ex.PW-1/1, copy of FRC is Ex. PW-1/2, copy of CNIC is Ex. PW-1/3, copy of death certificate of deceased as Ex.PW-1/4, copy of Form B of minors is Ex.PW-1/5. Copies of CNICs of PW-2 and PW-3 are Ex. PW-2/1 and Ex. PW-3/1 respectively. 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.

4. The available record on file prima facie establishes that petitioners are the legal heirs of deceased Naurooz Khan as there is nothing in rebuttal. Hence, petitioners will inherit the legacy of deceased as per following shares;


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

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| S. No | Name of petitioner legal heirs | Major/minor | Date of Majority | Relation with deceased | Share Percentage |
|-------|--------------------------------|-------------|------------------|------------------------|------------------|
| 1 | Ashoor Jan | Major | N.A | Widow | 12.52% |
| 2 | Irfan Khan | Major | N.A | Son | 14.58% |
| 3 | Kifayat Ullah | Major | N.A | Son | 14.58% |
| 4 | Hamid Ullah | Major | N.A | Son | 14.58% |
| 5 | Inam Ullah | Minor | 14.02.2025 | Son | 14.58% |
| 6 | Shabnam Bibi | Major | N.A | Daughter | 7.29% |
| 7 | Shakeela Bibi | Major | N.A | Daughter | 7.29% |
| 8 | Asima Bibi | Minor | 12.06.2024 | Daughter | 7.29% |
| 9 | Sehrish | Minor | 21.12.2027 | Daughter | 7.29% |

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
28.03.2023



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