

Order-07  
31.03.2023

Muhammad Tariq present on behalf of petitioner. He submitted special power of attorney in favour of petitioner. Court fee 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; 22.03.2023 general public was asked to submit objections, if any, however, no one appeared before the court, so ex-parte proceedings were conducted.

3. Petitioner namely Mst. Akhtara Bibi filed the instant application for issuance of succession certificate. Muhammad Tariq (special attorney) recorded his statement as PW-1, Shakeel Khan as PW-2 and Ahsan Ullah as PW-3. PW-1 submitted his power of attorney as Ex.PW-1/1, copy of his CNIC is Ex. PW-1/2, copy of death certificates of parents of petitioner are Ex. PW-1/3 & Ex. PW-1/4 respectively, copies of Service Book, Medical Certificate and Office Order consisting 12 pages is Ex. PW-1/5. Copy of pension data verification sheet is Ex. PW-1/6. FRC is Ex. PW-1/7 and copy of Bank Account statement is Ex.PW-1/8. 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 petitioner is the legal heir of deceased Khial Baz Khan (father) and Khyal Manda (mother) as there is nothing in rebuttal. Hence, petitioner will inherit the legacy of deceased as per following shares;

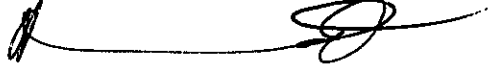
31-03-2023  
REHMAT ULLAH WAZIR  
Senior Civil Judge/JM,  
Orakzai at Baber Mela

S. No	Name of petitioner legal heirs	Major/minor	Date of Majority	Relation with deceased	Share Percentage
1	Akhtara Bibi	Major	N.A	Daughter	100%

5. As, there is no other legal heir of deceased and considering the request of the petitioner 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 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.

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

Announced  
31.03.2023

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