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Order-05
12.04.2023

Mr. Noor Jamal present on behalf of petitioners. He submitted special power of attorney for 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; 15.03.2023 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 Maryam Bibi (Widow), 02. Amina Bibi (Mother), 03. Saeed Ul Haq (Father), 04. Muhammad Zahid (Son) 05. Muhammad Hassan (Son), 06. Shah Zain (Daughter) and 07. Manahil Bibi (Daughter) filed the instant application. Noor Jamal (special attorney)

recorded his statement as PW-1, Rashid Ur Rehman as PW-2 and Muhammad Umar 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 certificate of deceased as Ex.PW-1/3, copy of CNIC of deceased is Ex. PW-1/4 copy of Form B of minors is Ex.PW-1/5. Copy of FIR is Ex. PW-1/6, FRC is Ex. PW-1/7 and FRC 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 petitioners are the legal heirs of deceased Ahmad Saeed as there is nothing

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

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 | Maryam Bibi | Major | N.A | Widow | 12.5% |
| 2 | Amina Bibi | Major | N.A | Mother | 16.65% |
| 3 | Saeed Ul Haq | Major | N.A | Father Mother <i>U</i> | 16.65% |
| 4 | Muhammad Zahid | Minor | 05.11.2034 | Son | 15.48% |
| 5 | Muhammad Hassan | Minor | 03.12.2035 | Son | 15.48% |
| 6 | Shah Zain | Minor | 15.05.2037 | Son | 15.48% |
| 7 | Manahil Bibi | Minor | 09.11.2039 | Daughter | 7.74% |

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. 1,000,000/- 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
12.04.2023


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