

4

**Order No. 07**  
11/06/2019

Petitioner No. 03 himself and as attorney for rest of the petitioners along with counsel present. The petitioners seek succession certificate in respect of legacy of deceased namely Haji Munsif Khan, who died on 25/04/2017, total amounting to Rs. 11,25495.06/- lying in Account No. PKS A/C No. 1808-0002168701 at Habib Bank Limited Ghaljo Branch, District Orakzai. Arguments heard and record perused.

2. Through publication in daily newspaper "Ausaf" dated; 20<sup>th</sup> April, 2019 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. 03 namely Muhammad Shakeel himself and as attorney for rest of the petitioners got recorded his statement as PW-1 while Javed Rehman as PW-2 and Fazal Qadir as PW-3 testified respectively. PW-1 submitted his power of attorney as Ex. PW-1/1 and copy of his CNIC Ex. PW-1/2, copy of death certificate of deceased as Ex. PW-1/3 while copy of his CNIC is Ex. PW-1/4, copy of bank statement Ex. PW-1/5, copy of CNICs of petitioners No. 1,2,4 to 7 are Ex. PW-1/6 to Ex. PW-1/11 respectively. Copies of CNICs of PW-2 and PW-3 is Ex. PW-2/1 and Ex. PW-3/1. 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.

  
MOHAMMAD SHAKEEL  
Senior Civil Judge,  
Orakzai at Hangu.

(5)

Contd; O - 07  
11/06/2019

4. As, there is nothing in rebuttal, so therefore contention of the petitioners is believed to be correct. Therefore, the petitioners will inherit the legacy of deceased as per following shares;

S. No.	Name of the Petitioners		Share	Total amounting to Rs. 11,25495.05/-
01	Mst. Khatam Bibi	Widow	12.5%	140,686.83
02	Khadim Khan	Son	19.44%	218,846.25
03	Muhammad Shakeel	Son	19.44%	218,846.25
04	Muhammad Ibrahim	Son	19.44%	218,846.25
05	Mst. Masta Meema	Daughter	9.72%	109,423.13
06	Mst. Sultan Bibi	Daughter	9.72%	109,423.13
07	Mst. Haleema Bibi	Daughter	9.72%	109,423.13

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 furnishing bail bonds to the tune of **Rs. Twenty-Five Lacs** with two local and reliable sureties each in the like amount to the satisfaction of this court. All the legal heirs are major. Parties are left to bear their own cost. Proper Court fee be also deposited.

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

Announced  
11/06/2019



**(Muhammad Ayaz Khan)**  
SCJ/Guardian Judge,  
Orakzai (at Hangu)