

Order No. 07
25/07/2019

Petitioner No. 01 herself and as attorney for rest of the petitioners along with counsel present. The petitioners seek succession certificate in respect of legacy of deceased namely Ghazi Marjan, who died on 27/02/2019. Arguments heard and record perused.

2. Through publication in daily newspaper "Ausaf" dated; 2nd June, 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. 01 Hayat Bibi, 02. Muhammad Umar, 03. Muhammad Wahib filed the instant application. Attorney of the petitioner recorded his statement as PW-1, while Abdul Ghafar as PW-2 and Muhammad Khan as PW-3 testified respectively. PW-1 submitted his power of attorney as Ex. PW-1/1 and copy of his CNIC Ex.PW-1/6(3), copy of death certificate of deceased as Ex. PW-1/2 and copy of embalming and sealing certificate is Ex. PW-1/3 while copy of deceased CNIC is Ex. PW-1/6, (04 pages) copy of CNICs of petitioners No. 1,2,3 are Ex.PW-1/6,Copy of No objection certificate of Dead Body PW-1/5 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.

[Handwritten signature]
25/7/19

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	Relation with deceased	Share
01	Hayat Bibi	Widow	12.5%
02	Muhammad Wahib	Son	43.75%
03	Muhammad Umar	Son	43.75%

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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. All the legal heirs are major. 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. Petitioner is directed to submit the surety bond to the tune of 25 Lac.

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

Announced
25/07/2019



(Muhammad Ayaz Khan)
SCJ/Succession & Guardian Judge,
Orakzai (Baber Mela)

MUHAMMAD AYAZ
Senior Civil Judge,
Orakzai at Hangu