

Order-4
18/09/2020

Petitioner through attorney and counsel present.
Petitioner evidence recorded and closed. File be put up
for arguments on 25/09/2020.

Farman Ullah
Senior Civil Judge,
Orakzai at Baber Mela.

Order -5
25/09/2020

1. Petitioners present through counsel and attorney. Evidence of
petitioners present and recorded as PW-1 to PW-3.

Arguments heard and record perused.

2. Through publication in daily newspaper "Ausaf" dated; 10th
August 2020 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. Mst Jamia Khela (widow), 02. Sajida Bibi
(Daughter), 03. Sami Ullah (son) 04. Najma Bibi (Daughter) 05. Sadiq
Ullah (Son) 06. Sameeda Bibi (Daughter) 07. Sabir Ullah (Son) 08.
Amna Bibi (Daughter) 09. Amir Ullah (Son) filed the instant application.
Sami Ullah (attorney) recorded his statement as PW-1, Kousar Ullah as
PW-2 and Farhad Ullah as PW-3 testified respectively. PW-1 submitted
his power of attorney as Ex.PW-1/1, copy of his CNIC as Ex.PW-1/2,
copy of CNIC of deceased as Ex.PW-1/3, death certificate of deceased as
Ex.PW-1/4, copies of CNICs of major petitioners as Ex.PW-1/5 to 1/8,
form-B of minor petitioners as Ex.PW-1/9 and family tree as Ex.PW-
1/10. 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.

106

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;

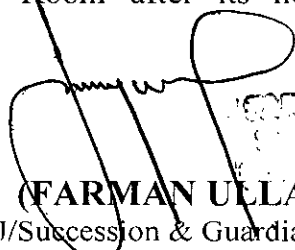
S. No	Name of petitioner legal heirs	Major/minor	Relation with deceased	Share Percentage	Share amount
1	Jamia Khela	Major	Widow	12.5 %	Rs. 25,075/-
2	Sajida Bibi	Major	Daughter	07.3 %	Rs. 14,626/-
3	Sami Ullah	Major	Son	14.6 %	Rs. 29,253/-
4	Najma Bibi	Major	Daughter	07.3 %	Rs. 14,626/-
5	Sadiq Ullah	Major	Son	14.6 %	Rs. 29,253/-
6	Samida Bibi	Minor	Daughter	07.3 %	Rs. 14,626/-
7	Sabir Ullah	Minor	Son	14.6 %	Rs. 29,253/-
8	Amna Bibi	Minor	Daughter	07.3 %	Rs. 14,626/-
9	Amir Ullah	Minor	Son	14.6 %	Rs. 29,253/-

The share of minors, on S.No.06 to 09 shall be deposited to the official account of Senior Civil Judge.

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. 200,000 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 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
25/09/2020


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