


Order
20/09/2019

Petitioner No. 02 Akram Khan himself as attorney for rest of the petitioners along with counsel present. The petitioners seek succession certificate in respect of legacy of deceased namely Abdul Khanan, who died on 07/06/2019. Arguments heard and record perused.

2. Through publication in daily newspaper "Ausaf" dated; 2nd August, 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 Khaista, 02. Akram Khan, 03. Israr Khan, 04. Badshah Mena 05. Umida Bibi 06. Taza Mena 07. Noor shad Bibi filed the instant application. Attorney of the petitioners recorded his statement as PW-1, while Khwaldad Khan as PW-2 and Abdul Manan 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, copy of deceased CNIC as Ex. PW-1/4, copy of deceased passport as Ex. PW-1/5, copy of CNIC of petitioners No. 1 as Ex. PW-1/6, copy of CNIC of petitioners No. 3 as Ex. PW-1/7, copy of CNIC of petitioners No. 4 as Ex. PW-1/8, copy of CNIC of petitioners No. 5 as Ex. PW-1/9, while petitioner No. 7 namely Noor Shada Bibi is minor. Copies of CNICs of PW-2 and PW-3 are exhibited as 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.

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;


MUHAMMAD AYAZ
Senior Civil Judge,
Orakzai at Hangu

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S. No.	Name of petitioner legal heirs	Major/minor	Relation with deceased	Share Percentage
1	Khaista	Major	Widow	12 %
2	Akram Khan	Major	Son	21.9 %
3	Israr Khan	Major	Son	21.9 %
4	Badshah Meena	Major	Daughter	10.95 %
5	Umida Bibi	Major	Daughter	10.95 %
6	Taza Meena	Major	Daughter	10.95 %
7	Noor Shad Bibi	Minor	Daughter	10.95 %

The share of minor, at Serial No. 7, shall be deposited in the official account of Senior Civil Judge Orakzai.

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 petitioner subject to surety bond/undertaking to the tune of Rs.25 Lacs 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
20/09/2019



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