


04

Note Reader
14/08/2020

Parties absent. The month of August has been declared as summer vacation. Hence, file be put up for previous proceedings on 05.09.2020. 


Order-4
05.09.2020

Petitioner along with counsel present. Evidence not produced due to non-availability of witnesses. Counsel for the petitioner requested for adjournment. Granted, file be put up for petitioner evidence on 18.09.2020.


Farman Ullah
Senior Civil Judge,
Orakzai at Baber Mela.


Order-5
18/09/2020

Petitioner through attorney and counsel present. Petitioner evidence recorded and closed. File be put up for arguments on 26/09/2020.


Farman Ullah
Senior Civil Judge,
Orakzai at Baber Mela.

Order--06
26/09/2020

Petitioners through attorney and counsel present. Counsel for the petitioners sought time for arguments. Granted, file be put for arguments on 03.10.2020.


Farman Ullah
Senior Civil Judge,
Orakzai at Baber Mela.

Continue
Order # 07


08

The share of minors, on S.No.03 to 08 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. 400,000 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
03/10/2020


(FARMAN ULLAH)
Senior Civil Judge
Orakzai at Baber Mela

66

Order -7
03/10/2020

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; 18th July 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 Khial Manda (widow), 02. Junaid Ahmad (Son), 03. Khurshida (Daughter) 04. Nizam (Son) 05. Hamza (Son) 06. Aisha (Daughter) 07. Rehan (Son) 08. Sabeela Jan (Mother) filed the instant application. Rait Khan (attorney) recorded his statement as PW-1, Muhammad Nasir as PW-2 and Hashmat 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 petitioner No.1 as Ex.PW-1/3, minors Form-B as Ex.PW-1/4, copies of CNIC petitioner No.8 as Ex.PW-1/5, death certificate as Ex.PW-1/6, passport of deceased as Ex.PW-1/7, death certificate of the father of deceased as Ex.PW-1/8, OPF certificate as Ex.PW-1/9 and OPF form 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.

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
1	Mst Sabeela Jan	Major	Mother	16.7 %
2	Mst Khial Manda	Major	Widow	12.5 %
3	Junaid Ahmad	Minor	Son	14.2 %
4	Khurshida	Minor	Daughter	7.1 %
5	Nizam	Minor	Son	14.2 %
6	Hamza	Minor	Son	14.2 %
7	Aisha	Minor	Daughter	7.1 %
8	Rehan	Minor	Son	14.2 %


FARMANULLAH
Senior Civil Judge
Orangi at Baber Mela
03.10.2020