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Order -5
09/10/2020

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; 4th September, 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 Robiagha (widow), 02. Nabi Khan (Son), 03. Waris Khan (Son) 04. Muhammad Nawaz (Son) 05. Tasleem Khan (Son) 06. Nasir Khan (Son) filed the instant application. Tasleem Khan (attorney) recorded his statement as PW-1, Sharbat Khan as PW-2 and Arbab Khan as PW-3 testified respectively. PW-1 submitted his power of attorney as Ex.PW-1/1, Death certificate as Ex.PW-1/2, CNIC cancellation form as Ex.PW-1/3, CNICs of petitioner No.1 to Petitioner No.5 as Ex.PW-1/4 to Ex.PW-1/8, Form-B of the petitioner No.6 as Ex.PW-1/9, service record of deceased as Ex.PW-1/10, appointment order of deceased as Ex.PW-1/11 and Bank statement as Ex.PW-1/12. 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 Robiagha	Major	Widow	12.5 %
2	Nabi Khan	Major	Son	17.5 %
3	Waris Khan	Major	Son	17.5 %
4	Muhammad Nawaz	Major	Son	17.5 %
5	Tasleem Khan	Major	Son	17.5 %
6	Nasir Khan	Minor	Son	17.5 %

FARMAHULIAH
Senior Civil Judge
Orakzai at Feroz Wala
09.10.2020

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The share of minors, on S.No.6 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. 100,000 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
09/10/2020

FARMANULLAH
Senior Civil Judge
Orakzai (Baber Mela)

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