


Order-5
03.10.2020

(06)

Petitioner through attorney and his counsel present. Evidence recorded as PW-1, PW-2 and PW-3 and closed. File be put up for arguments on 14.10.2020.


Farman Ullah
Senior Civil Judge, Orakzai
at Baber Mela

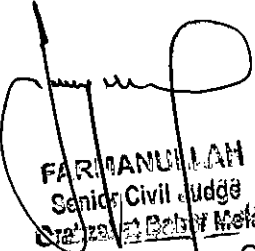
Order -6
14/10/2020

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; 16th 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 Zaneena Jan (widow), 02. Hadia (Daughter), 03. Yasrab (Daughter) 04. Zeenat (Daughter) 05. Arsan (Daughter) 06. Hasrat (Daughter) 07. Afza Hassan (Son) 08. Muhammad Hasnain (son) 09. Ali Muhammad (son) filed the instant application. Muhabbat Ali (attorney) recorded his statement as PW-1, Sehrab Ali as PW-2 and Ijad Ali as PW-3 testified respectively. PW-1 submitted his power of attorney as Ex.PW-1/2, copy of his CNIC as Ex.PW-1/1, death certificate of deceased as Ex.PW-1/3, CNIC of petitioner No.1 as Ex.PW-1/4, form-B of minor petitioners as Ex.PW-1/5, death certificate as Ex.PW-1/6, passport of deceased as Ex.PW-1/7, list of legal heirs as Ex.PW-1/8, bank statement as Ex.PW-1/9. 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.


FARMANULLAH
Senior Civil Judge
Orakzai at Baber Mela

14-10-2020

107

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	Mst Zaneena Jan	Major	Wife	12.5 %	Rs. 11,202/-
2	Hadia	Minor	Daughter	7.96 %	Rs. 7,128/-
3	Yasrab	Minor	Daughter	7.96 %	Rs. 7,128/-
4	Zeenat	Minor	Daughter	7.96 %	Rs. 7,128/-
5	Arsan	Minor	Daughter	7.96 %	Rs. 7,128/-
6	Hasrat	Minor	Daughter	7.96 %	Rs. 7,128/-
7	Afza Hassan	Minor	Son	15.9 %	Rs. 14,257/-
8	Muhammad Hasnain	Minor	Son	15.9 %	Rs. 14,257/-
9	Ali Muhammad	Minor	Son	15.9 %	Rs. 14,257/-

The share of minors, at S.No.02 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. 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
14/10/2020



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

FARMANULLAH
Senior Civil Judge
Orakzai at Baber Mela