

(6)

(2)

Order-5
03/12/2020

Petitioner through attorney and counsel present.

Evidence of petitioner recorded and closed. File

be put up for arguments on 12.12.2020.

Farman Ullah
Senior Civil Judge, Orakzai
at Baber Mela

Order -6
12/12/2020

1. Petitioners present through counsel and attorney.

Arguments heard and record perused.

2. Through publication in daily newspaper "Ausaf" dated; 29th Oct, 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 Raaz Meena Jan (widow), 02. Muhammad Hilal (son), 03. Lair Hussain (son) 04. Shamal Hassan (Son) 05. Rainaz Begam (Begam) filed the instant application. Shamal Hassan (attorney) recorded his statement as PW-1, Ajmat Ali as PW-2 and Mukhtaj Ali as PW-3 testified respectively. PW-1 submitted his power of attorney as Ex.PW-1/2, his CNIC as Ex.PW-1/1, CNIC and death certificate of deceased as Ex.PW-1/3 and Ex.PW-1/4, CNICs of petitioners No. 1 to 5 as Ex.PW-1/5 to 1/8, copy of National Saving Certificate as Ex.PW-1/9, and copy of balance certificate 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.

The available record on file prima facie establishes that petitioners are the legal heirs of deceased Ali Qambar as there is nothing

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in rebuttal. Hence, 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 Raaz Meena Jan	Major	Widow	12.5 %
2	Muhammad Hilal	Major	Son	25 %
3	Lair Hussain	Major	Son	25 %
4	Shamal Hassan	Major	Son	25 %
5	Mst Rainaz Begam	Major	Daughter	12.5 %

The share of minors, if any 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. 500,000 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 petitioners' 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
12/12/2020


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