

Order -7
17/12/2020

7

1. Petitioners present through counsel and attorney.

Respondent No.2,3,4 and 6 present in person.

They stated before the court that petitioners and respondent No.2 to 7 are legal heirs of Khwaga Gul.

Arguments heard and record perused.

2. Through publication in daily newspaper "Ausaf" dated; 24th 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. Mola Jan (son), 02. Laiq Jan (Son) 03. Soocha Gul (son) filed the instant petition for issuance of succession certificate regarding the cash amount Rs.870,209.15 left by their father Khwaga Gul in NBP Hangu. Mola Jan (attorney) recorded his statement as PW-1, Muhammad Shafiq as PW-2 and Sinab Gul 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, death certificate of deceased Ex.PW-1/3, Copy of deceased CNIC as Ex.PW-1/4 and Bank statement as Ex.PW-1/5. 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. The available record on file prima facie establishes that petitioners and respondents No.2 to 7 are the legal heirs of deceased Khwaga Gul, as there is nothing in rebuttal. Hence, petitioners along with respondents No.2 to 7 will inherit the legacy of deceased as per following shares;


FARMANULLAH
Senior Civil Judge
Orakzai at Baber Mela

17.12.2020

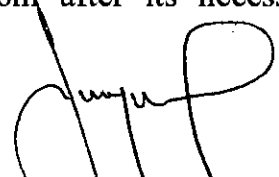
S. No	Name legal heirs	Major/minor	Relation with deceased	Share Percentage
1	Mola Jan	Major	Son	11.76 %
2	Laiq Jan	Major	Son	11.76 %
3	Soocha Gul	Major	Son	11.76 %
4	Wali Jan	Major	Son	11.76 %
5	Esa Jan	Major	Son	11.76 %
6	Shoaib Khan	Major	Son	11.76 %
7	Yaqeen Ullah	Major	Son	11.76 %
8	Tooti Jan	Major	Son	11.76 %
9	Fatima Jan	Major	Daughter	5.9 %

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 and respondent No. 2 to 7, 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
17/12/2020


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