

IN THE COURT OF MUHAMMAD AYAZ KHAN,
SENIOR CIVIL JUDGE. ORAKZAI AT BABER MELA

Order
21/02/2020

Petitioner No.5 Muhammad Ibrahim as attorney for rest of the petitioners along with counsel present. The petitioners seek succession certificate in respect of legacy of deceased namely Nadar Khan, who died on 18/12/2019. Arguments heard and record perused.

2. Through publication in daily newspaper "Ausaf" dated; 5th February, 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 Musafir Jan Bibi (widow), 02. Muhammad Usman (Son), 03. Muhammad Asim (son), 04. Abdullah (son) 05. Muhammad Ibrahim (Son) 06. Bismillah Khan (son) 07. Rab Nawaz (son) 08. Mst Noor Marjan (Daughter) 09. Mst Shaheen Bibi (Daughter) 10. Mst Sakeena Noor (Daughter) filed the instant application. Muhammad Ibrahim (attorney) recorded his statement as PW-1, Farman Ullah as PW-2 and Amjad Akhtar 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, CNIC of Mst Musafir Jan as Ex.PW-1/3, form-B of the minor petitioners as Ex.PW-1/4, CNICs of major petitioners as Ex.PW-1/5 to 1/9, death certificate of the deceased as Ex.PW-1/10 and bank statement as Ex.PW-1/11. 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.


MUHAMMAD AYAZ
Senior Civil Judge,
Orakzai at Hangu

4. As, there is nothing in rebuttal, so therefore contention of the petitioners is believed to be correct. Therefore, the petitioners will inherit

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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	Musafir Jan Bibi	Major	Widow	12.5 %	Rs. 53040
2	Muhammad Usman	Minor	Son	11.6 %	Rs. 49,504
3	Muhammad Asim	Minor	Son	11.6 %	Rs. 49,504
4	Abdullah	Minor	Son	11.6 %	Rs. 49,504
5	Muhammad Ibrahim	Major	Son	11.6 %	Rs. 49,504
6	Bismillah Khan	Major	Son	11.6 %	Rs. 49,504
7	Rabnawaz	Major	Son	11.6 %	Rs. 49,504
8	Noor Marjan	Major	Daughter	5.83 %	Rs. 24,752
9	Shaheen Bibi	Major	Daughter	5.83 %	Rs. 24,752
10	Sakina Noor	Major	Daughter	5.83 %	Rs. 24,752

The share of minors, on S.No.2,3 and 4 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 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
21/02/2020


(Muhammad Ayaz Khan)
SCJ/Succession & Guardian Judge,
Orakzai (Baber Mela)