

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

Civil Suit No. 19/5 of 2019
 Date of Institution: 26/09/2019
 Date of Decision: 07/11/2019

Zar Masta etc.

VS

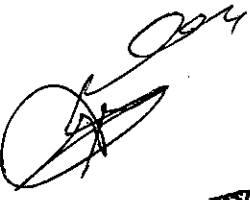
General Public

Order
 07/11/2019

Khan Akbar s/o Khayal Akbar as attorney for the rest of petitioners along with counsel present. The petitioners seek succession certificate in respect of legacy of deceased namely Salih Akbar, who died on 26/06/2019. Arguments heard and record perused.

2. Through publication in daily newspaper "Ausaf" dated; 24th October, 2019 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 Zar Masta (widow), 02. Bulbula Jan (Daughter), 03. Sakhi Marjan (Daughter), 04. Bismila Jan (Daughter) filed the instant application. Khan Akbar, attorney of the petitioners, recorded his statement as PW-1, while Khayal Akbar as PW-2 and Mumtaz Ali as PW-3 testified respectively. PW-1 attorney of the petitioners, submitted his power of attorney as Ex. PW-1/1 and copy of his CNIC as Ex. PW-1/2, copy of CNIC of the deceased as PW-1/3, copy of CNIC of petitioner No. 1 as Ex. PW-1/4, copy of CNIC of petitioner No.2 as Ex. PW-1/5, copy of CNIC of petitioner No.3 as Ex. PW-1/6, copy of CNIC of petitioner No. 4 as Ex. PW-1/7 and copy of death certificate of the deceased as Ex. PW-1/8. All the exhibited documents, publication and


MUHAMMAD AYAZ
 Senior Civil Judge,
 Orakzai at Hangu

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	Zar Masta	Major	Widow	12.5%
2	Bulbula Jan	Major	Daughter	29.16%
3	Sakhi Marjan	Major	Daughter	29.16%
4	Bismila	Major	Daughter	29.16%

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. 04 lacs 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
07/11/2019


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