

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

Order
 28/11/2019

Petitioner No.1 Mushtaq Ali as attorney for rest of the petitioners along with counsel present. The petitioners seek succession certificate in respect of legacy of deceased namely Khayal Haider, who died on 23/09/2019. Arguments heard and record perused.

2. Through publication in daily newspaper "Ausaf" dated; 14th November, 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 Mushtaq Ali (son), 02. Nusrat Ali (Son), 03. Imran Ali (son), and 04. Noshed Sehra (daughter) filed the instant application. Attorney of the petitioners, Mushtaq Ali recorded his statement as PW-1, while Muhammad Akber as PW-2 and Syed Ameen Khan as PW-3 testified respectively. PW-1 submitted his power of attorney as Ex. PW-1/1 and copy of his CNIC as Ex. PW-1/2, copy of death certificate of deceased Ex. PW-1/3, copy of CNIC of his brother namely Imran Ali as Ex. PW-1/4, copy of CNIC of his brother namely Nusrat Ali as Ex. PW-1/5, copy of CNIC of his sister namely Noshed Sehra as Ex. PW-1/6 and Bank statement as Ex. PW-1/7. 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. 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;


 MUHAMMAD AYAZ
 Senior Civil Judge,
 Orakzai at Hangu.

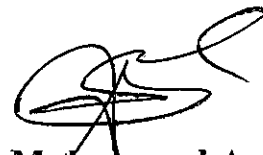
S. No	Name of petitioner legal heirs	Major/minor	Relation with deceased	Share Percentage
1	Mushtaq Ali	Major	Son	28.57 %
2	Nusrat Ali	Major	Son	28.57 %
3	Imran Ali	Major	Son	28.57 %
4	Nushed Sehra	Major	Daughter	14.29 %

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. 600,000 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
28/11/2019



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