


Order-06
29.04.2023

Special attorney for petitioners present. Court fee submitted.

Arguments heard and record perused.

2. Through publication in daily newspaper "Ausaf" dated; 25.03.2023 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. Mumtaz Bibi (Widow), 02. Shahid Nazir (Son), 03. Taif Nazeer (Son), 04. Iltaf Nazir (Son), 05. Fahad Nazir (Son), 06. Zubaida Bibi (Daughter) and 07. Zarqi Sam (Mother), filed the instant application to the effect that they are legal heirs of the deceased Lawang Shah who died on 14.02.2023. Shahid Nazir (attorney) recorded his statement as PW-1, Sher Zada as PW-2 and Umar Zahid as PW-3. PW-1 submitted his power of attorney as Ex.PW-1/1, copy of his CNIC is Ex. PW-1/2. FRC, Form B and CNIC of petitioners No. 1 to No. 07 are exhibited as Ex.PW-1/3 to Ex. PW-1/5. Copy of death certificate of deceased Lawang Shah is Ex. PW-1/6 who died on 14.02.2023. Copy of his CNIC is Ex. PW-1/7. Copy of bank statement is Ex. PW-1/8. CNIC of widow of petitioner is Ex. PW-1/9. Copy of service card of deceased is Ex. PW-1/10. Copies of CNICs of PW-2 & PW-3 are Ex. PW-2/1 and Ex. PW-3/1 respectively. 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.


REHMAT ULLAH WAZIR
Senior Civil Judge/JM
Orakzai at Baber Mandi

4. The available record on file prima facie establishes that petitioners are the legal heirs of deceased Lawang Shah as there is

nothing in rebuttal. Hence, petitioners will inherit the legacy of deceased as per following shares;

| S. No | Name of petitioner legal heirs | Major/minor | Date of Majority | Relation with deceased | Share Percentage |
|-------|--------------------------------|-------------|------------------|------------------------|------------------|
| 1 | Mumtaz Bibi | Major | N/A | Widow | 12.50% |
| 2 | Shahid Nazir | Major | N/A | Son | 15.74% |
| 3 | Taif Nazeer | Minor | 01.04.2026 | Son | 15.74% |
| 4 | Iltaf Nazir | Minor | 01.05.2029 | Son | 15.74% |
| 5 | Fahad Nazir | Minor | 01.03.2034 | Son | 15.74% |
| 6 | Zubaida Bibi | Minor | 02.05.2023 | Daughter | 7.87% |
| 7 | Zarqi Sam | Major | N/A | Mother | 16.67% |

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.100,000/- 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
29.04.2023


(REHMAT ULLAH WAZIR)
SCJ/Succession & Guardian Judge,
Orakzai (Baber Mela)