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**IN THE COURT OF FARMAN ULLAH**  
SENIOR CIVIL JUDGE, ORAKZAI AT BABER MELA

**Order-4**  
16/07/2020

Petitioner No.3 present in person and as attorney for remaining petitioners.

Respondant No.1 and 2 absent. Summon issued to them returned with report that they are abroad. Record reveals that publication has already been issued against them but they did not appear before the court. Hence, they are proceeded ex-parte. Ex.parte evidence already recorded. The petitioners seek succession certificate in respect of legacy of deceased namely Naeem Shah, who died on 17/02/2020. Arguments heard and record perused.

2. Through publication in daily newspaper "Ausaf" dated; 18<sup>th</sup> June, 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 Badri Jamala (Daughter), 02. Mst Khamina Bibi (Daughter), 03. Bahadur Shah (son) 04. Haji Badshah (son) 05. Muhammad Ibraheem (son) filed the instant petition. Bahadur Shah (attorney) recorded his statement as PW-1, Zareen Shah as PW-2 and Sail Badshah as PW-3 testified respectively. PW-1 submitted power of attorney as Ex.PW-1/1, CNIC of deceased as Ex.PW-1/2, death certificate as Ex.PW-1/3, Bank account status as Ex.PW-1/4, family registration certificate as Ex.PW-1/5, CNIC of petitioner No.1 and 2 as Ex. Pw-1/6 and 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.

FARMAN ULLAH  
Senior Civil Judge  
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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;

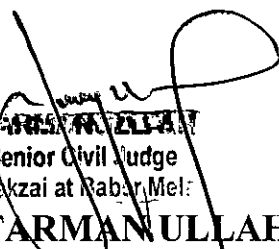
S. No	Name of petitioner legal heirs	Major/minor	Relation with deceased	Share Percentage	Share amount
1	Badri Jamala	Major	Daughter	12.5 %	Rs. 13,343 /-
2	Khamina Bibi	Major	Daughter	12.5 %	Rs. 13,343 /-
3	Bahadur Shah	Major	Son	25 %	Rs. 26,687 /-
4	Haji Badshah	Major	Son	25 %	Rs. 26,687 /-
5	Muhammad Ibraheem	Major	Son	25 %	Rs. 26,687 /-

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. 100,000 (One Lac) 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**  
16/07/2020

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