

08

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

Order-10
25/07/2020

1. Petitioners through attorney Wali Khan (Petitioner No. 01) and through counsel present. The petitioners seek succession certificate in respect of legacy of deceased namely Ali Muhammad, who died on 14/10/2019. Arguments heard and record perused.

2. Through publication in daily newspaper "Ausaf" dated; 16th 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. Wali Khan (Son), 02. Yousaf Khan (Son), 03. Shahid Khan (Son) 04. Raif Khan (Son), 05. Gul Pari Jan (Daughter) and

06. Samida Jan (Daughter) filed the instant petition. Wali Khan (attorney) recorded his statement as PW-1, Riayat Khan as PW-2 and Noor Muhammad as PW-3 testified respectively. PW-1 submitted CNIC as Ex.PW-1/1, CNICs of petitioners as Ex.PW-1/2 to Ex,PW-1/8, death certificate as Ex.PW-1/9 and bank statement as Ex.PW-1/10. 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;

S. No	Name of petitioner legal heirs	Major/minor	Relation with deceased	Share Percentage	Share Amount
1	Wali Khan	Major	Son	20 %	Rs. 41,649/-
2	Shahid Khan	Major	Son	20 %	Rs. 41,649/-
3	Shahid Khan	Major	Son	20 %	Rs. 41,649/-
4	Raif Khan	Major	Son	20 %	Rs. 41,649/-
5	Gul Pari Jan	Major	Daughter	10 %	Rs. 20,824/-
6	Sameeda Jan	Major	Daughter	10 %	Rs. 20,824/-

FARMANULLAH
Senior Civil Judge
Orakzai at Baber Mela
25-7-2020

109

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. 200,000 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
25/07/2020

FARMAN ULLAH
Senior Civil Judge
Orakzai at Baber Mela

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