

(b)

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

Order
24/07/2020

Petitioner No.2 Muhammad Ibrahim as attorney for rest of the petitioners along with counsel present. The petitioners seek succession certificate in respect of legacy of deceased namely Sher Jan, who died on 05/01/2020. Arguments heard and record perused.

2. Through publication in daily newspaper "Ausaf" dated; 30th 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 Shinaka (widow), 02. Muhammad Ibrahim (Son), 03. Muhammad Farooq (son), 04. Hijran Badshah (Son) filed the instant application. Muhammad Ibrahim recorded his statement as PW-1, Abdullah Khan as PW-2 and Shaukat Hussain as PW-3 testified respectively. PW-1 submitted his copy of his CNIC as Ex.PW-1/1, His power of attorney as Ex.PW-1/2, copy of his CNIC of the deceased as Ex.PW-1/3, Death certificate of the deceased as Ex.PW-1/4, copy of CNIC of petitioner No.1 namely Mst Shinaka as Ex.PW-1/5, copy of CNIC of petitioner No. 4 as Ex.PW-1/6, copy of CNIC of petitioner No. 3 as Ex.PW-1/7, Family Tree as Ex.PW-1/8 and Bank statement as Ex.PW-1/9. PW-02 and PW-03 submitted copy of their CNICs as 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.

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;


FARMANULLAH
Senior Civil Judge
Orakzai at Baber Mela
24.7.2020

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S. No	Name of petitioner legal heirs	Major/minor	Relation with deceased	Share Percentage	Share Amount
1	Mst Shinka	Major	Widow	12.5 %	Rs. 12,762.88/-
2	Muhammad Ibrahim	Major	Son	29.17 %	Rs. 29,780.04/-
3	Muhammad Farooq	Major	Son	29.17 %	Rs. 29,780.04/-
4	Hijran Badshah	Major	Son	29.17 %	Rs. 29,780.04/-

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 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
24/07/2020

FARMANULLAH
Senior Civil Judge
Orakzai at Baber Mela
(Farman Ullah)
SCJ/Succession & Guardian Judge,
Orakzai (Baber Mela)