

Order -9
15/01/2021

1. Petitioners present through counsel and attorney.

Petitioners remaining evidence recorded and closed.

Arguments heard and record perused.

2. Through publication in daily newspaper "Ausaf" dated; 4 Dec, 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. Qabil Jan (Widow), 02. Munir Khan (Son), 03. Kamil Khan (Son) 04. Muhammad Asif (Son) 05. Hameeda (Daughter) 06. Gul Taj (Daughter) 07. Amina (Daughter) 08. Aisha (Daughter) 09. Hazrat Gul (Father) filed the instant application. Noor Saeed recorded his statement as PW-1, Muhammad Saeed as PW-2 and Munir Khan as PW-3 testified respectively. PW-3 produced CNIC of petitioner No.1 as Ex.PW-3/1, CNIC of deceased as Ex.PW-3/2, his own CNIC as Ex.PW-3/3, CNIC of his grandfather as Ex.PW-3/4, CNIC of Kamil Khan as Ex-PW-3/5, CNIC of Hameeda as Ex.PW-3/6, Form B of minors as Ex.PW-3/7, FRC of petitioners as Ex.PW-3/8 and death certificate of deceased as Ex-PW-3/9. 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
1	Hazrat Gul	Major	Father	16.7 %
2	Qabil Jan	Major	Widow	12.5 %
3	Munir Khan	Major	Son	14.16 %
4	Kamil Khan	Major	Son	14.16 %
5	Muhammad Asif	Minor	Son	14.16 %
6	Hameeda	Major	Daughter	7.08 %
7	Gul Taj	Minor	Daughter	7.08 %
8	Amina	Minor	Daughter	7.08 %
9	Aisha	Minor	Daughter	7.08 %

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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. 2,000,000 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
15/01/2021


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