

(05)

Order -6
18/01/2021

1. Petitioner No.1 along with counsel present.

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. Sher Janan (father), 02. Taj Bibi (mother) filed the instant application. Mir Dil Khan recorded his statement as PW-1, Muhammad Sajid as PW-2 and Sher Janan as PW-3 testified respectively. PW-3 produced service record of deceased as Ex.PW-3/1, his own CNIC as Ex.PW-3/2, CNIC of petitioner No.2 as Ex.PW-3/3, deceased's CNIC as Ex.PW-3/4, death certificate as Ex-PW-3/5 and FRC as Ex.PW-3/6. 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	Sher Janan	Major	Father	66.7 %
2	Mst Taj Bibi	Major	Mother	33.3 %

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. 1,500,000/- 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



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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
18/01/2021


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

FARMANULLAH
Senior Civil J.
Orakzai at Baber