

07

Note Reader  
08.01.2021

The presiding officer is on station leave.

File be put up for previous proceedings on  
15.01.2021.

*ad*

Order -3  
15/01/2021

1. Petitioners present through counsel and attorney.

Arguments heard and record perused.

2. Through publication in daily newspaper "Ausaf" dated; 14 October, 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. Musharaf Jan (Widow No.1), 02. Alimullah (son) 03. Khial Mewa Bibi (Daughter) 04. Miraj Bibi (widow No.2) 05. Hidayat Ullah (son) 06. Mati Ullah (Son) 07. Rukhsana Bibi (daughter) 08. Zobaida Bibi (daughter) 09. Shazia Bibi (daughter) 10. Alisha Bibi (daughter) filed the instant application. Gulwas Khan recorded his statement as PW-1, Jameel Khan as PW-2 and Maveez Khan as PW-3 testified respectively. PW-2 submitted his power of attorney as Ex.PW-2/1, petitioner's FRC as Ex.PW-2/2, Form-B of minors as Ex.PW-2/3, widows CNICs as Ex.PW-2/4 and 2/5, deceased's service card as Ex.PW-2/6, deceased's death certificate as Ex.PW-2/7, bank statement as Ex.PW-2/8 and 2/9 and his own CNIC as Ex.PW-2/10. 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

58

the legacy of deceased as per following shares;


S. No	Name of petitioner legal heirs	Major/minor	Relation with deceased	Share Percentage
1	Mst Musharaf Jan	Major	Widow	6.25 %
2	Miraj Bibi	Major	Widow	6.25 %
3	Alimullah	Minor	Son	15.9 %
4	Hidayat Ullah	Minor	Son	15.9 %
5	Mati Ullah	Minor	Son	15.9 %
6	Khial Mewa	Minor	Daughter	7.96 %
7	Rukhsana Bibi	Minor	Daughter	7.96 %
8	Zobaida Bibi	Minor	Daughter	7.96 %
9	Shazia Bibi	Minor	Daughter	7.96 %
10	Alisha Bibi	Minor	Daughter	7.96 %

The share of minors at S. No 3 to 10 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. 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 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**  
15/01/2021

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