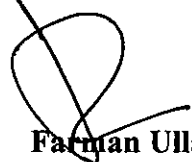


Order-4
23/01/2021

Petitioner through attorney and counsel present.

Petitioner evidence recorded as PW-1 to PW-3 and closed. Counsel for the petitioner sought time for arguments. Granted, file be put up of arguments on 29.01.2021.



Farman Ullah
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Orakzai at Baber Mela

Order-05
29/01/2021

1. Petitioners through attorney Mewa Gul and through counsel present. The petitioners seek succession certificate in respect of legacy of deceased namely Khaista Gul, who died on 28/09/2019. Arguments heard and record perused.

2. Through publication in daily newspaper "Ausaf" dated; 06th January, 2021 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 Sajda Bibi (daughter), 02. Mewa Gul (Son), 03. Muhammad Sadique (Son) 04. Muhammad Aziz (Son), 05. Muhamamd Hanif (Son), 06. Muhamamd Wahib (Son) and 07. Mujahid (Son) filed the instant application. Mewa Gul (attorney) recorded his statement as PW-1, Muhammad Saeed PW-2 and Muhammad Ashraf as PW-3 testified respectively. PW-1 submitted power of attorney for Petitioners as Ex.PW-1/1, Copy of CNIC as Ex.PW-1/2, Copy of his


FARMANULLAH
Senior Civil Judge
Orakzai at Baber Mela

29.1.21

(05) (04)

father's pension record as Ex.PW-1/3, Death certificate of deceased Khaista Gul as Ex.PW-1/4, Copy of CNIC of petitioners on one page as Ex.PW-1/5 and Death certificate of deceased wife as Ex.PW-1/6. 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	Mst Sajida Bibi	Major	Daughter	7.69%
2	Mewa Gul	Major	Son	15.38%
3	Muhammad Sadique	Major	Son	15.38%
4	Muhammad Aziz	Major	Son	15.38%
5	Muhamamd Hanif	Major	Son	15.38%
6	Muhammad Wahib	Major	Son	15.38%
7	Mujahid	Major	Son	15.38%

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. 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 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
29/01/2021

FARMANULLAH
Senior Civil Judge
Orakzai (Baber Mela)

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