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

Order-16
30/01/2021

1. Petitioners through attorney and counsel present.

Respondent No.2 to 4 absent.

Publication in daily Newspaper received but none of the respondent No.2 to 4 are in attendance in spite of repeated calls. Hence they produced ex-parte.

Counsel for the petitioners stated before the court that petitioners have already recorded their evidence and they rely on the same. Ex-parte arguments heard and record gone through.

The petitioners seek succession certificate in respect of legacy of deceased namely Mir Ajab Khan, who died on 15/06/2009.

2. Through publication in daily newspaper "Ausaf" dated; 25th July, 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 Ghazi Marjana (widow), 02. Wajida (Daughter) and 03. Mst Rohiba (daughter) filed the instant application. Ghazi Marjana (Petitioner No.1) recorded his statement as PW-1 and Syed Ghulab (attorney) as PW-2, testified respectively. PW-1 submitted copy of death certificate of Meer Ajab Khan as Ex.PW-1/1, Copy of form 'B' of Wajida (Petitioner No.2) as Ex. PW-2/2, Copy of FRC of Rohiba (Petitioner No.3) as Ex. PW-1/3, Copy Bank statement of account as Ex.PW-1/4 and Copy of his CNIC as Ex.PW-1/5. PW-2 submitted power of attorney for Petitioners as Ex.PW-2/1. 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.


30-1-21
FARMANULLAH
Senior Civil Judge
Orakzai at Baber Mela

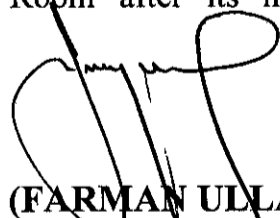
4. The available record on file prima facie establishes that petitioners and respondents No.2 to 4 are the legal heirs of deceased Mir Ajab Khan as there is nothing in rebuttal. Hence, petitioners along with respondents No.2 to 4 will inherit the legacy of deceased as per following shares;

S. No	Name of petitioner legal heirs	Major/minor	Relation with deceased	Share Percentage
1	Mst Ghazi Marjana	Major	Widow	12.5%
2	Mst Wajida	Minor	Daughter	33.33%
3	Mst Rohiba	Major	Daughter	33.33%
4	Ajab Khan	Major	Brother	10.42%
5	Mst Gul Sanga	Major	Sister	5.21%
6	Mst Gul Shana	Major	Sister	5.21%

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 and respondent No.2 to 4, subject to surety bond/undertaking to the tune of Rs. 1,000,000 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
30/01/2021


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