


(8) (5)

Order-05
12/02/2021

Petitioners through attorney present.

Bar is on strike. Hence, case is adjourned. File be put up for remaining evidence of petitioner on 20.02.2021.


Farnan Ullah
Senior Civil Judge,
Orakzai at Baber Mela

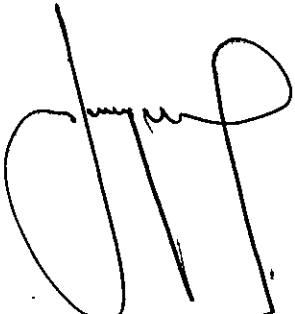
Order-06
20/02/2021

1. Petitioners through attorney Muslimeen and through counsel present. Petitioners evidence recorded and closed.

The petitioners seek succession certificate in respect of legacy of deceased namely Izat Khan, who died on 21/04/2020. Arguments heard and record perused.

2. Through publication in daily newspaper "Ausaf" dated; 14th 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 Khaista Jan (Widow), 02. Muslimeen (Son), 03. Maweez Khan (Son) 04. Ajmaeen Khan (Son), 05. Shedaka (Daughter), 06. Gul Jameena (Daughter) and 07. Khayal Jameena (Daughter) 08. Shabeer Ahmad filed the instant application. Muslimeen (attorney) recorded his statement as PW-1, Nasar Khan PW-2 and Tajmeen Khan as PW-3 testified respectively. PW-1 submitted his CNIC


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Senior Civil Judge
Orakzai at Baber Mela

as Ex.PW-1/1, death certificate of Izat Khan (deceased) as Ex.PW-1/2, CNIC of deceased as Ex.PW-1/3, bank account statement as Ex.PW-1/4, power of attorney as Ex.PW-1/5, CNIC of Petitioner No.1 as Ex.PW-1/6. CNIC of Petitioner No.3 as Ex.PW-1/7, CNIC of Petitioner No.4 as Ex.PW-1/8, CNIC of Petitioner No.5 as Ex.PW-1/9, CNIC of Petitioner No.6 as Ex.PW-1/10, CNIC of Petitioner No.7 as Ex.PW-1/11, CNIC of Respondent No.2 as Ex.PW-1/12 and CNIC of Respondent No.3 as Ex.PW-1/13. 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. The available record on file prima facie establishes that petitioners and respondents No.2 and 3 are the legal heirs of deceased Izat Khan, as there is nothing in rebuttal. Hence, petitioners along with respondents No.2 to 3 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 Khaista Jan	Major	Widow	12.5 %
2	Muslimeen	Major	Son	11.66%
3	Maweez Khan	Major	Son	11.66%
4	Ajmaeen Khan	Major	Son	11.66%
5	Shabeer Ahmad	Minor	Son	11.66%
6	Jameel Khan	Major	Son	11.66%
7	Naseem Khan	Major	Son	11.66%
8	Mst Shedaka	Major	Daughter	5.83%
9	Mst Gul Jameena	Major	Daughter	5.83%
10	Mst Khyal Jameena	Major	Daughter	5.83%

The share of minor at S. No.5 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 legal

[Handwritten Signature]
 20.2.21
FARMANULLAH
 Senior Civil Judge
 Orakzai at Baber Mela

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heirs of the deceased, subject to surety bond/undertaking to the tune of Rs. 100,000 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
20/02/2021


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

RECORDED
20/02/2021