

(6)

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

Order-07
26/02/2021

1. Petitioners through attorney Niazbat Ali and through counsel present. The petitioners seek succession certificate in respect of legacy of deceased namely Muhammad Azam, who died on 05/11/2020. Arguments heard and record perused.

2. Through publication in daily newspaper "Ausaf" dated; 16th 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. Nizbat Ali (son), 02. Arshlima Jan (Daughter), 03. Robina Jan (Daughter) 04. Noortab Jan (daughter) filed the instant application. Niazbat Ali (attorney) recorded his statement as PW-1, Muhammad Hasnain Khan as PW-2 and Nasir Ali as PW-3 testified respectively. PW-1 submitted his CNIC as Ex.PW-1/1, power of attorney as Ex.PW-1/2, CNICs of petitioner No.2 to 4 as Ex.PW-1/3 to 1/5, death certificate of deceased as Ex.PW-1/6, bank statement Alhabeeb bank Kacha Paka branch as Ex.PW-1/7 and Bank statement of HBL sherkot branch as Ex.PW-1/8. 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	Niazbat Ali	Major	Son	40 %
2	Arshlima Jan	Major	Daughter	20 %
3	Robina Jan	Major	Daughter	20 %
4	Noortab Jan	Major	Daughter	20 %

26.2.21
FARMANULLAH
Senior Civil Judge
Orakzai at Baber Mela


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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. 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 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
26/02/2021


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

FARMANULLAH
Senior Civil Judge
Orakzai at Baber Mela