

Order-06
28/02/2021

1. Petitioners through attorney Aziz Khan and through counsel present. The petitioners seek succession certificate in respect of legacy of deceased namely Muhammad Zaman, who died on 24/09/2018. Arguments heard and record perused.

2. Through publication in daily newspaper "Ausaf" dated; 30th 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 Bakhti Jamala (Widow), 02. Muhammad Saqib (Son), 03. Aqib Ullah (Son), 04. Nazish Bibi (Daughter), 05. Muhammad Shazib (Son) filed the instant application. Aziz Khan (attorney) recorded his statement as PW-1, Rasool Badshah PW-2 and Usman Gul as PW-3 testified respectively. PW-1 submitted, Power of attorney as Ex.PW-1/1, Copy of his CNIC as Ex.PW-1/2, death certificate of deceased as Ex.PW-1/3, FRC of the petitioners as Ex.PW-1/4, Form-B as Ex.PW-1/5, passport of deceased as Ex.PW-1/6 and OPF form as Mark-A. 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 Bakhti Jamala	Major	Widow	12.5%
2	Muhammad Saqib	Minor	Son	25%
3	Aqib Ullah	Minor	Son	25%
4	Muhammad Shazib	Minor	Son	25%
5	Nazish Bibi	Minor	Daughter	12.5%

The share of minors, at S.No.2 to 5, shall be deposited to the official account of Senior Civil Judge.


FARMAKULIAH
Senior Civil Judge
Orakzai District Bala

26.2.2021

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. 1,000,000 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
26/02/2021


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