

(4)

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

Order - 5
03/03/2021

Petitioners through counsel submitted an application for early hearing. On which record was requisitioned from date fixed for today. Request seems genuine hence, date is fixed for today. Petitioners evidence recorded. Arguments heard and record gone through.

The petitioners seek succession certificate in respect of legacy of deceased namely Gul Zaman, who died on 05/11/2020.

2. Through publication in daily newspaper "Ausaf" dated; 22nd February, 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 Rasheed Bibi (Widow), 02. Ajmal Khan (Son), 03. Muhammad Shakir (Son), 04. Kulsoom Bibi (Daughter), 05. Noor Shad Bibi (Daughter) and 06. Mst Noora Zaman (Father) 07. Kasteer Bibi filed the instant application. Wahid Zaman recorded his statement as PW-1, Hashim Khan PW-2 and Suliman Khan as PW-3 testified respectively. PW-3 submitted Copy of CNIC as Ex.PW-3/1, Power of attorney as Ex. PW-3/2, CNIC of petitioner No.1 as Ex.PW-3/3, death certificate of deceased as Ex.PW-3/4, BRC of petitioner No.2 as Ex.PW-3/5, BRC of petitioners No. 3 to 5 as Ex.PW-3/6 to 3/8. 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.


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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	Noora Zaman	Major	Father	16.7%
2	Kasteer Bibi	Major	Mother	16.7%
3	Mst Rasheed Bibi	Major	Widow	12.5%
4	Ajmal Khan	Minor	Son	18.05%
5	Muhammad Shakir	Minor	Son	18.05%
6	Kulsoom Bibi	Minor	Daughter	9.05%
7	Noorshad Bibi	Minor	Daughter	9.05%

The share of minors, at S.No.4 to 7 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. 1,000,000 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
03/03/2021


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