

Order -5 10/03/2021

- Petitioners present through attorney and counsel.
   Evidence of petitioners present and recorded as PW-1 to PW-3.
   Arguments heard and record perused.
- 2. Through publication in daily newspaper "Ausaf" dated; 23 Feb,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. Abdul Salam (Son), 02. Abdul Basit (Son) 03. Zeenat Bibi (Daughter) 04. Salma Bibi (Daughter) filed the instant application. Abdul Salam (attorney) recorded his statement as PW-1, Muhammad Zubair as PW-2 and Syed Muhammad Owais as PW-3 testified respectively. PW-1 submitted his power of attorney as Ex.PW-1/1, his CNIC as Ex.PW-1/2, CNIC Copy of Petitioner No. 1 as Ex.PW-1/2, CNIC Copy of Petitioner No. 1 as Ex.PW-1/2, CNIC Copy of Petitioner No. 3 as Ex.PW-1/4, CNIC Copy of Petitioner No. 4 as Ex.PW-1/5, CNIC copy of deceased as Ex.PW-1/6, Death certificate of deceased as Ex.PW-1/7 and Bank Statement 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	Major/minor	Relation with	Share
	heirs		deceased	Percentage
1	Abdul Salam	Major	Son	33.33%
2	Abdul Basit	Major	Son	33.33%
3	Zeenat Bibi	Major	Daughter	16.67%
4	Salma Bibi	Major	Daughter	16.67%

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The share of minors shall be deposited to the official account of Senior Civil Judge if any.

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. 1500,000 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 petitioner 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 10/03/2021

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

> FARMANULLAH Senior Civil Judge Orakzai at Baber Hela