


(4)

Order-04  
19/02/2021

Petitioner through counsel present.

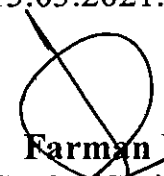
Petitioner evidence not produced due to non-availability of witnesses. Counsel for the petitioner sought time for evidence. Granted, file be put up for petitioner's evidence on 02.03.2021.

  
**Farman Ullah**  
Senior Civil Judge,  
Orakzai at Baber Mela

Order-05  
02/03/2021

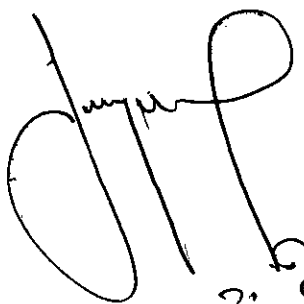
Petitioner through attorney present.

Bar is on strike. Hence, case is adjourned. File be put up for petitioner's evidence on 13.03.2021.

  
**Farman Ullah**  
Senior Civil Judge,  
Orakzai at Baber Mela

Order -06  
13/03/2021

1. 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; 08 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. Lalmi Gula (Widow), 02. Muhammad Huzifa (Son) 03. Minhaj BiBi (Daughter) 04. Basraj Bibi (Daughter) 05. Asma Badshah (Daughter) 06. Iqra Ghani (Daughter) 07. Hazrat Bilal (Son)

  
13.03.21  
**FARMANULLAH**  
Senior Civil Judge  
Orakzai at Baber Mela

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filed the instant application. Nasir Ullah (attorney) recorded his statement as PW-1, Sher Mast Khan as PW-2 and Shaheen Muhammad as PW-3 testified respectively. PW-1 submitted his power of attorney as Ex.PW-1/1, self CNIC copy as Ex.PW-1/2, CNIC copy of petitioner No.1 as Ex.PW-1/3, CNIC copy of petitioner No.2 as Ex.PW-1/4, CNIC copy of petitioner No.3, CNIC copy of petitioner No.4 as Ex.PW-1/6, CNIC copy of petitioner No.5 as Ex.PW-1/7, Form 'B' as Ex.PW-1/8, Death certificate of deceased as Ex.PW-1/9, Death certificates of parents of deceased as Ex.PW-1/10 and Ex.PW-1/11, service card of deceased as Ex.PW-1/12 and compensation letter of deceased consist of 04 pages 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. 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	Lalmi Gul	Major	widow	12.5%
2	Muhammad Huzifa	Major	Son	21.88%
3	Hazrat Bilal	Minor	Son	21.88%
4	Minhaj Bibi	Major	Daughter	10.94%
5	Basraj Bibi	Major	Daughter	10.94%
6	Asma Badshah	Major	Daughter	10.94%
7	Iqra Ghani	Minor	Daughter	10.94%

The share of minors at S. No. 3 and 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.

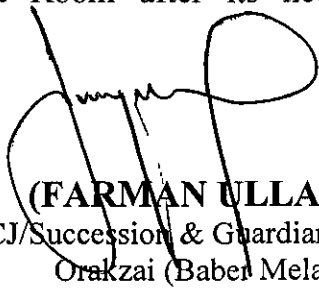
  
13.03.21  
FARMANULLAH  
Senior Civil Judge  
Orakzai at Baber Mela

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10,00,000 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  
13/03/2021

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

**FARMANULLAH**  
Senior Civil Judge  
Orakzai at Baber Mela