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

**Order-5**  
09/04/2021

1. Petitioners through attorney and counsel present.

The petitioners seek succession certificate in respect of legacy of deceased namely Mst; Lal Mina, who died on 25/08/2018. Arguments heard and record perused.


2. Through publication in daily newspaper "Ausaf" dated; 24<sup>th</sup> March, 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 Sinar Mina (Daughter), 02. Khial Muhammad (Son), 03. Sartaj Muhammad (Son) filed the instant application. Khial Mahammad (attorney) recorded his statement as PW-1, Afzal Khan as PW-2 and Muhammad Ilyas as PW-3 testified respectively. PW-1 submitted his CNIC as Ex.PW-1/1, death certificate as Ex.PW-1/2, power of attorney as Ex.PW-1/3, CNIC of deceased as Ex.PW-1/4, CNIC of petitioner No. 1 as Ex.PW-1/5, Pension book of deceased as Ex.PW-1/6, Service certificate and pension book of husband of deceased as Ex.PW-1/7, Death certificate of husband of deceased as Ex.PW-1/8, family tree as Ex.PW-1/9, last payment certificate of deceased as Ex.PW-1/10. 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 Sinar Mina	Major	Daughter	20%
2	Khial Muhammad	Major	Son	40%
3	Sartaj Muhammad	Major	Son	40%

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

  
09.4.2021

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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. 2,00,000 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 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  
09/04/2021

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