

(6)

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

Order-09
12/04/2021

1. Petitioners through attorney and through counsel present.

The petitioners seek succession certificate in respect of legacy of deceased namely Syed Fazal Hussain, who died on 02/01/2021. Arguments heard and record perused.

2. Through publication in daily newspaper "Ausaf" dated; 19th 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. Muntazim Syed (son), 02. Syed Hussain Abbas (Son), 03. Syed Ibrar Hussain (Son) 04. Syed Qamar Sayed (Son) 05. Syed Hassan Abbas (Son) 06. Gul Nihad (Daughter) 07. Anab Sultan (Daughter) 08. Bibi Ameer Sahib (widow) 09. Bibi Mustafa Jan (Mother) filed the instant application. Muntazim Syed (attorney) recorded his statement as PW-1, Syed Iqbal Syed as PW-2 and Sartaj Khan as PW-3 testified respectively. PW-1 submitted his power of attorney as Ex.PW-1/1, his CNIC as Ex.PW-1/2, death certificate of deceased as Ex.PW-1/3, Pay slip of deceased as Ex.PW-1/4 and FRC as Ex.PW-1/5. 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.


FARMANULLAH
Senior Civil Judge
Orakzai at Baber Mela

12-4-21

(7)

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 Bibi Ameer Sahib	Major	Widow	12.5%
2	Mst BiBi Mustafa Jan	Major	Mother	16.65%
3	Syed Hussain Abbas	Major	Son	11.81%
4	Syed Qamar Abbas	Major	Son	11.81%
5	Muntazim Syed	Major	Son	11.81%
6	Syed Ibrar Hussain	Major	Son	11.81%
7	Syed Hassan Abbas	Major	Son	11.81%
8	Mst Gul Nihad	Major	Daughter	5.9%
9	Mst Anab Sultan	Major	Daughter	5.9%

The share of minors, if any 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. 2,000,000 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
12/04/2021


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