

(4)

Order -05
19/06/2021

1. Petitioners present through counsel and attorney.
Arguments heard and record perused.

2. Through publication in daily newspaper "Ausaf" dated; 22nd May, 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 Piao Meen (Mother), 02. Muhammad Zahid Khan (Brother), 03. Shahid Khan (Brother) 04. Hameed Ullah (Brother) filed the instant application. Hameed Ullah (attorney) recorded his statement as PW-1, Khalid Mehmood as PW-2 and Gohar Zaman as PW-3 testified respectively. PW-1 submitted his CNIC as Ex.PW-1/1, his power of attorney as Ex.PW-1/2, death certificate of deceased as Ex.PW-1/3, death certificate of father of deceased as Ex.PW-1/4, CNIC of petitioner No.1 as Ex.PW-1/5, CNIC of deceased as Ex.PW-1/6, CNIC of petitioner No.3 as Ex.PW-1/7, CNIC of petitioner No.2 as Ex.PW-1/8, CNIC of father of deceased as Ex.PW-1/9, family tree as Ex.PW-1/10, application of tickets of deceased as Ex.PW-1/11, transportation certificate of deceased as Ex.PW-1/12, insurance documents of deceased as Ex.PW-1/13, passport of deceased as Ex.PW-1/14, authority letter as Ex.PW-1/15. 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.

[Handwritten Signature]
19.6.21
FARMAAN
Senior Civil Judge
Orakzai at Baber Mela

The available record on file prima facie establishes that petitioners are the legal heirs of deceased Faisal Khan as there is nothing in rebuttal. Hence, petitioners will inherit the legacy of deceased as per following shares;

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S. No	Name of petitioner legal heirs	Major/minor	Relation with deceased	Share Percentage
1	Mst Piao Meen	Major	Mother	16.72%
2	Muhammad Zahid Khan	Major	Brother	27.76%
3	Shahid Khan	Major	Brother	27.76%
4	Hameed Ullah	Major	Brother	27.76%

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. 1000,000/- 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. Two original succession certificates be prepared; one original succession certificate be given to the petitioners subject to surety bonds of Rs.1000,000/-(ten lacs) with two local sureties, while one be retained and placed on judicial file for record.

6. File be consigned to the Record Room after its necessary completion and compilation.

Announced
19/06/2021


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