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Order -07  
02/07/2021

1. Petitioners present through counsel and attorney.

Evidence recorded and closed.

Arguments heard and record perused.

2. Through publication in daily newspaper "Ausaf" dated; 30<sup>th</sup> 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 Saooda Bibi (Daughter), 02. Mst Ruqia Bibi (Daughter), 03. Muhammad Israr (Son) and 04. Alif Rehman (Son), filed the instant application. Muhamamd Israr (attorney) recorded his statement as PW-1, Ali Akber as PW-2 and Ajmal 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, CNIC of petitioner No.1 as Ex.PW-1/3, CNIC of petitioner No.2 as Ex.PW-1/4, Birth registration certificate of petitioner No.4 as Ex.PW-1/5, death certificate of deceased as Ex.PW-1/6, CNIC of deceased as Ex.PW-1/7, death certificate of husband of deceased as Ex.PW-1/7, copy of CNIC of husband of deceased as Ex.PW-1/8 and photocopy of pension book as Ex.PW-1/9. 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.

The available record on file prima facie establishes that petitioners are the legal heirs of deceased Mst Bibi Hanifa as there is nothing in rebuttal. Hence, 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	Muhammad Israr	Major	Son	33.33%
2	Alif Rehman	Minor	Son	33.33%
3	Mst Saooda Bibi	Major	Daughter	16.67%
4	Mst Ruqia Bibi	Major	Daughter	16.67%

*FARUKHULLAH*  
Senior Civil Judge  
Qazai at Bahar Mala  
02-07-21

(6)

The share of minor, at serial no.2 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. 1,000,000/- 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. Two original succession certificates be prepared; one original succession certificate be given to the petitioners subject to surety bonds of Rs.1,000,000/-(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**  
02/07/2021

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

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