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

Order-06
07/07/2021

1. Petitioner through counsel present. The petitioners seek succession certificate in respect of legacy of deceased namely Misal Khan, who died on 01/04/2020. Arguments heard and record perused.

2. Through publication in daily newspaper "Ausaf" dated; 17th June, 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 Masteela Jan (Widow), 02. Zain Ullah (Son), 03. Zabit Khan (Son) 04. Akhtar Khan (Son), 05. Jameena Bibi (Daughter), 06. Safar Jana (Daughter), 07. Akela Bibi (Daughter), 08. Hamida (Daughter), 09. Nazma Bibi (Daughter), 10. Khyal Mera (Daughter) and 11. Shazma Bibi (Daughter) filed the instant application. Zain Ullah (attorney) recorded his statement as PW-1, Bilal Ahmad as PW-2 and Zahid Khan as PW-3 testified respectively. PW-1 submitted his power of attorney as Ex.PW-1/1, CNIC of petitioner No. 1 as Ex.PW-1/2, his own CNIC as Ex.PW-1/3, photocopies of CNICs of petitioner No. 3 to 7 and 11 as Ex.PW-1/4 to PExPW-1/9 respectively. Copy of his death registration certificate of Misal Khan (deceased) as Ex.PW-1/10, the bank account statement as PW-1/11, CNIC of deceased as Ex.PW-1/12. 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 Masteela Jan	Major	Widow	12.51%
2	Zain Ullah	Major	Son	13.46%

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3	Zabit Khan	Major	Son	13.46%
4	Akhtar Khan	Major	Son	13.46%
5	Jameena Bibi	Major	Daughter	6.73%
6	Safar Jana	Major	Daughter	6.73%
7	Akela Bibi	Major	Daughter	6.73%
8	Hamida	Major	Daughter	6.73%
9	Nazma Bibi	Major	Daughter	6.73%
10	Khyal Mera	Major	Daughter	6.73%
11	Shazma Bibi	Minor	Daughter	6.73%

The share of minor at Serial No.11 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 legal heirs of the deceased, subject to surety bond/undertaking to the tune of Rs. 200,000/- 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.200,000/-(two 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
07/07/2021

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