

4

Order-05
28/07/2021

petitioner present through clerk of counsel.

Power of attorney submitted in favour of petitioner No.5.

Bar is on strike. Hence, case is adjourned.

File be put up for petitioner's evidence on 04.08.2021.

Farman Ullah
Senior Civil Judge,
Orakzai at Baber Mela.

Order -06
04/08/2021

1. Petitioners present through counsel and attorney.

Evidence recorded and closed.

Arguments heard and record perused.

2. Through publication in daily newspaper "Ausaf" dated; 08th July, 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 Sultan Bibi (widow), 02. Bibi Asima (Daughter), 03. Bibi Khadija (Daughter), 04. Kalsoom Bibi (Daughter), 05. Abdul Samad (Son), 06. Samida Bibi (Daughter), 07. Naseem Ullah (Son), 08. Bibi Sadiqa (Mother) filed the instant application. Abdul Samad (attorney) recorded his statement as PW-1, Abdul Aziz as PW-2 and Muhammad Usman 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, bank statement of deceased as Ex.PW-1/4, Family tree 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.

FARMANULLAH
Senior Civil Judge
Orakzai at Baber Mela
04.8.21

5

The available record on file prima facie establishes that petitioners are the legal heirs of deceased Razi Manan 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	Mst Bibi Sadiqa	Major	Mother	16.66%
2	Mst Sultan Bibi	Major	Widow	12.5%
3	Abdul Samad	Major	Son	17.72%
4	Naseem Ullah	Minor	Son	17.72%
5	Bibi Asima	Major	Daughter	8.85%
6	Bibi Khadija	Major	Daughter	8.85%
7	Kalsoom Bibi	Major	Daughter	8.85%
8	Samida Bibi	Minor	Daughter	8.85%

The share of minors, at serial No.4 & 8 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. 500,000/- 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.500,000/-(five 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
04/08/2021


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