

Order-05
06/08/2021

Petitioner present through attorney.

Bar is on strike. Hence, case is adjourned.

File be put up for arguments on 07.08.2021.


Farman Ullah
Senior Civil Judge,
Orakzai at Baber Mela.

Order -06
07/08/2021

1. Petitioner No.1 present in person and as attorney for petitioner No.2.

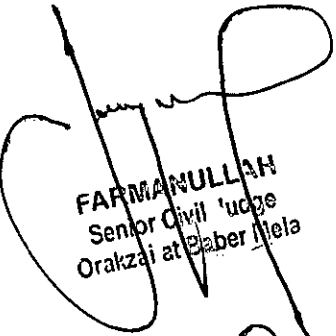
2. Counsel for petitioners also present.

Arguments heard and record perused.

2. Through publication in daily newspaper "Ausaf" dated; 30th 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. Muhammad Zaman (Father), 02. Mst Shakira Bibi (Mother) filed the instant application. Muhammad Zaman (attorney) recorded his statement as PW-3, Khial Saif Khan as PW-2 and Farman Ullah as PW-1 testified respectively. PW-3 submitted his CNIC as Ex.PW-3/1, his power of attorney as Ex.PW-3/2, death certificate of deceased as Ex.PW-3/3, copy of CNIC of deceased as Ex.PW-3/4, NBP account statement of deceased as Ex.PW-3/5. 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.

The available record on file prima facie establishes that petitioners are the legal heirs of deceased Muhammad Fazal Ghani as


FARMANULLAH
Senior Civil Judge
Orakzai at Baber Mela
07.8.21

5

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 Zaman	Major	Father	66.67%
2	Shakira Bibi	Major	Mother	33.33%

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. 1500,000/-(fifteen lacs) 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.1500,000/-(fifteen 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
07/08/2021

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