

(4)

Order-05
28/07/2021

Petitioner present through clerk of counsel.

Bar is on strike. Hence, case is adjourned.

File be put up for petitioner's evidence on 02.08.2021.

Farman Ullah
Senior Civil Judge,
Orakzai at Baber Mela.

Order -06
02/08/2021

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 Gul Naz Begum (widow), 02. Intizar Ali (Son), 03. Shehzad Ali (Son), 04. Musawer Ali (Son), 05. Shayan Ali (Son), 06. Muhammad (Son), 07. Jeeha Naz (Daughter), 08. Saima Naz (Daughter), 09. Najeeda (Daughter) and 10. Khan Zadi Jan (Mother) filed the instant application. Intizar Ali (attorney) recorded his statement as PW-1, Noor Wali as PW-2 and Gul Taj Ali 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, Copy of CNIC of deceased as Ex.PW-1/4, copies of CNICs of petitioner No.1 and 10 are as Ex.PW-1/5 and Ex.PW-1/6, bank statement of deceased as Ex.PW-1/7, copy of Form-B of petitioner No.3 to 6 as Ex.PW-1/8. 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

02.8.2021

(5)

The available record on file prima facie establishes that petitioners are the legal heirs of deceased Asar Khan 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 Khan Zadi Jan	Major	Mother	16.65%
2	Mst Gul Naz Begum	Major	Widow	12.5%
3	Intizar Ali	Major	Son	10.9%
4	Shehzad Ali	Minor	Son	10.9%
5	Musawer Ali	Minor	Son	10.9%
6	Shayan Ali	Minor	Son	10.9%
7	Muhammad	Minor	Son	10.9%
8	Jeeha Naz	Minor	Daughter	5.45%
9	Saima Naz	Minor	Daughter	5.45%
10	Najeeda	Minor	Daughter	5.45%

The share of minors, at serial No.4 to 10 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/-(ten 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.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
02/08/2021

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