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**IN THE COURT OF BAKHT ZADA, SENIOR CIVIL JUDGE/SUCCESSION & GUARDIAN JDUGE, ORAKZAI**

Petition No.....24/5 of 2023.

Date of institution.....02.09.2023.

Date of decision.....27.09.2023

Title: Mst Armina Naz etc Vs Public at Large

**Order -04**  
27.09.2023

Special attorney of petitioners along with counsel present.

1. Petitioner 1. Mst. Armina Naz (widow), 2. Abdul Mat Khan (father ), 3. Mst. Amal Jana (mother), 4. Muhammad Usman (minor son), 5. Umar Farooq (minor son) and 6. Bibi Asia (minor daughter) all residents of Qoum Sheikhan, Tappa Umarzai, Tehsil Central, District Orakzai have filed the instant petition for issuance of Succession Certificate being LRs of deceased Muhammad Imran against respondents, public at large. According to the petitioners, they are LRs of the deceased and there is no other legal heir except them. That Muhammad Imran (deceased) died on 28.02.2023 at UAE and was buried at Hangu on 04.03.2023. That some compensation amount is likely to be issued in favour of the LRs for which Succession Certificate is required.

2. The respondents i.e., public at large was served through notice in the daily newspaper "Ausaf" dated 09.09.2023, but no one appeared before the court, so ex-parte proceedings were initiated against the respondents public at large. During ex-parte evidence, one Wahab Shah S/O Niaz Badshah being special attorney of the petitioners appeared as PW-01. He produced the following documents.

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Senior Civil Judge/JM  
Orakzai at Bahera Mela  
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1. Ex. PW-1/1: Special power of attorney
2. Ex. PW-1/2 to Ex. PW-1/8: Nadra documents
3. Ex. PW-1/9: Copy of passport
4. Ex. PW-1/10: OPF documents
5. Ex. PW-2/1 and Ex. PW-3/1: Copy of CNICs of PW-02 and PW-03

3. 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 and they confirmed that there are no other LRs of the deceased except the petitioners. The report of Muhammad Hussain Process Server on notice for verification of LRs of deceased is also self-explanatory and is confirming the stance of the petitioners.

The available record on file prima facie establishes that petitioners are the legal heirs of deceased Muhammad Imran as there is nothing in rebuttal due to ex-parte. The list of legal heirs of deceased is as under;

S. No	Name of petitioner legal heirs	Major/minor	Relation with deceased	Share percentage
1.	Mst. Armina Naz	Major	Widow	12.50%
2.	Abdul Mat Khan	Major	Father	16.67%
3.	Mst. Amal Jana	Major	Mother	16.67%
4.	Muhammad Usman	Minor	Son	21.67%
5.	Umar Farooq	Minor	Son	21.67%
6.	Bibi Asia	Minor	Daughter	10.83%

4. As, there is no other legal heir of deceased and therefore considering the request of the petitioners being genuine, this application is allowed. Succession Certificate be issued in favour of petitioners being LRs of the deceased according to their Sharia shares. The petitioners are directed to deposit surety bond to the tune of Rs. 2,000,000/- with 02 local sureties each in the like amount to the satisfaction of this court. Succession Certificate be issued on the stamp paper and copy of the same

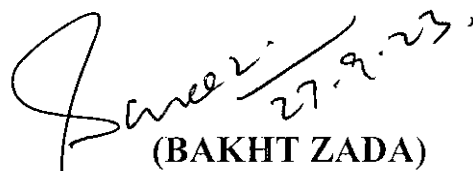
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be placed on file. If any legal heir/objector appear in future, the petitioners and the sureties will be responsible for the payment. Parties are left to bear their own cost. The share of minors shall be deposited in the official account of Senior Civil Judge Orakzai.

5. File be consigned to the Record Room after its necessary completion and compilation.

Announced  
27.09.2023

  
(BAKHT ZADA)  
SCJ/Succession & Guardian Judge,  
Orakzai at Baber Mela