

Order -08
28/05/2021

Petitioners present through attorney and counsel.

Counsel for the petitioners submitted an application for mentioning the debt of deceased Rs. 20,000/- in petition for issuance of succession certificate by contending therein, the said amount of deceased was outstanding which has been received after his death. However inadvertently the said amount was not mentioned in the petition. Requested to mention the same in the petition. Request seems genuine. Hence, the same amount be mention at the head note and in column No. 7 of the petition. Moharrir is directed to do the needful.

1. Evidence of petitioners present and recorded as PW-1 to PW-2.
Arguments heard and record perused.

2. Through publication in daily newspaper "Ausaf" dated; 24th March,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; Qadar Jan (Widow), 02. Sadiqa Jan (Daughter) 03. Zarmeena Jan (Daughter) 04. Syed Haneef (Son) filed the instant application. Khaistnab Khan (attorney) recorded his statement as PW-1 and Khan Wada as PW-2 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, Service record of deceased as Ex.PW-1/4, copy of CNIC of deceased as Ex.PW-1/5, copy of CNIC of petitioner No.1 as Ex.PW-1/6, copy of CNIC of petitioner No.2 as Ex.PW-1/7, copy of CNIC of petitioner No.3 as Ex.PW-1/8, copy of CNIC of petitioner No.4 as Ex.PW-1/9. All the exhibited documents, publication and report of process server


FAIRMANULLAH
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Orakzai at Baher Mela
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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;

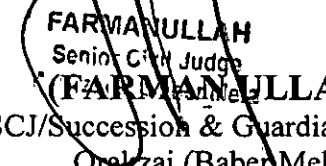
S. No	Name of petitioner legal heirs	Major/minor	Relation with deceased	Share Percentage
1	Mst Qadar Jan	Major	Widow	12.5%
2	Sadiqa Jan	Major	Daughter	21.88%
3	Zarmeera Jan	Major	Daughter	21.88%
4	Syed Haneef	Major	Son	43.74%

The share of minors if any, shall be deposited to the official account of Senior Civil Judge if any.

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. 100,000 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. Original succession certificate be given to the petitioner subject to surety bonds while copy of the certificate be placed on file.

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

Announced
28/05/2021


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