

Note Reader
18/12/2021

The presiding officer is on casual leave.

File be put up for previous proceedings on 23.12.2021.

Amir

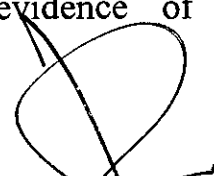
Order -03
23.12.2021

Petitioners present through attorney and counsel.

Inquiry report has been returned and placed on file.

Publication received but none present on behalf of respondents. Hence, respondents are proceeded ex-

parte. To come up for ex-parte evidence of petitioner's on 05.01.2022.


Farman Ullah
Senior Civil Judge,
Orakzai at Baber Mela.

Order - 04
05/01/2022

1. Petitioners present through attorney and counsel.

Petitioner's evidence recorded as PW-01 to PW-03 and closed.

Ex-parte arguments heard and record gone through.

The petitioners seek succession certificate in respect of legacy of deceased namely Munawar Shah, who died on 19/11/2020.

2. Through publication in daily newspaper "Ausaf" dated; 17th Dec, 2021 general public was asked to submit objections, if any, however, no one appeared before the court, so proceeded ex-parte.

3. Petitioner No. 01. Mst Khadija Bibi (Widow), 02 Rahmat Ullah (Son), 03. Muhammad Ikram (Son), 04. Gulshad Bibi (Daughter), 05.


FARMANULLAH
Senior Civil Judge
Orakzai at Baber Mela

05.01.22

Bibi Syeda (Daughter), 06. Shahida Bibi (Daughter) and 07. Noor Hida (Daughter) filed the instant application. Muhammad Jan recorded his statement as PW-1, Muhammad Rafiq as PW-2 and Altaf Hussain as PW-3 testified respectively. PW-1 submitted his power of attorney as Ex.Pw-1/1, CNIC as Ex.PW-1/2, copy of death certificate of deceased as Ex.PW-1/3 and FRC consisting of 02 pages as Ex.PW-1/4, 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.

4. The available record on file prima facie establishes that petitioner and respondents No.1 and 2 are the legal heirs of deceased Munawar Shah as there is nothing in rebuttal. Hence, petitioner along with respondents No.1 and 2 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 Khadija Bibi	Major	Widow	12.52%
2	Rahmat Ullah	Major	Son	14.58%
3	Muhammad Ikram	Major	Son	14.58%
4	Khitab Hussain	Major	Son	14.58%
5	Mehrab Hussain	Major	Son	14.58%
6	Mst Gulshad Bibi	Major	Daughter	7.29%
7	Mst Bibi Syeda	Major	Daughter	7.29%
8	Mst Shahida Bibi	Major	Daughter	7.29%
9	Mst Noor Hida	Major	Daughter	7.29%

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 and respondent No.1 and 2, subject to surety bond/undertaking to the tune of Rs. 1000,000/- (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

3

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.1000,000/-(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
05/01/2022


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