

3

Order -03
05.01.2022

Petitioner present through Counsel.

Inquiry report has been returned and placed on file.

Publication received but none present on behalf of

public at large. Hence, public at large is proceeded

ex-parte. To come up for ex-parte evidence of

petitioner's on 11.01.2022.


Farman Ullah
Guardian Judge/SCJ
Orakzai at Baber Mela.

Order -4
11/01/2022

1. Petitioner present through counsel.

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

Arguments heard and record perused.

2. Through publication in daily newspaper "Ausaf" dated; 04th Jan, 2022 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 Bakhat Dunya (widow), 02. Ihsan Ullah (Son), 03 Muhammad Amir (Son), 04 Ibrahim Gul (Son), 05. Basit Khalim (Son), 06. Shadna Bibi (daughter) filed the instant application.

Muhammad Amir (attorney) recorded his statement as PW-1, Muhammad Khalid as PW-2 and Muhammadi Jan 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, Bank account statement of deceased as Ex.PW-1/4, FRC as Ex.PW-1/5. All the exhibited documents, publication and report of process server etc.


FARMANULLAH
Senior Civil Judge
Orakzai at Baber Mela

4

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 Farid Khan as there is nothing in rebuttal. Hence, petitioners will inherit the legacy of deceased as per following shares;

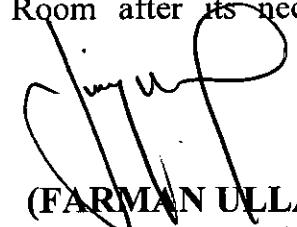
S. No	Name of petitioner legal heirs	Major/minor	Relation with deceased	Share Percentage
1	Mst Bakhat Dunya	Major	Widow	12.51%
2	Ihsan Ullah	Major	Son	19.44%
3	Muhammad Amir	Major	Son	19.44%
4	Ibrahim Gul	Minor	Son	19.44%
5	Basit Khalim	Minor	Son	19.44%
6	Shadna Bibi	Minor	Daughter	9.72%

The share of minors, at serial No.4 to 6 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. 500,000/-(five 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.500,000/-(five 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
11/01/2022


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