

(4)

**IN THE COURT OF FARMAN ULLAH**  
SENIOR CIVIL JUDGE, ORAKZAI AT BABER MELA

**Order-05**  
28/01/2022

1. Petitioners present through attorney and counsel  
Petitioner's evidence recorded as PW-01 to PW-03 and closed.  
Arguments heard and record gone through.  
The petitioners seek succession certificate in respect of legacy of deceased namely Naseeb Gul, who died on 09/07/2018.

2. Through publication in daily newspaper "Ausaf" dated; 20<sup>th</sup> January, 2022 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 Shakar Mewa (Daughter), 02. Mst Qabal Mewa (Daughter) and Mst Gran Miva (Daughter) filed the instant application. Rehman Ullah recorded his statement as PW-1, Muhammad Riaz as PW-2 and Meeb Ali Khan as PW-03 testified respectively. PW-1 submitted his power of attorney as Ex.PW-1/1. Copy of his CNIC as Ex.PW-1/2, copy of death certificate of deceased as Ex.PW-1/3, Bank statement of deceased as Ex.PW-1/4 and FRC as EX.PW-1/5. 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 are the legal heirs of deceased Naseeb Gul as there is nothing in rebuttal. Hence, petitioner along with respondents No.1 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 Shakar Mewa	Major	Daughter	20%
2	Mst Qabal Mewa	Major	Daughter	20%
3	Mst Gran Miva	Major	Daughter	20%
4	Niaz Meen Gul Khan	Major	Son	40%

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5. As, there is no other legal heir of deceased and considering the request of the petitioner being genuine this application is allowed along with accrued profit and Succession Certificate is issued in favour of petitioner and respondent No.1, subject to surety bond/undertaking to the tune of Rs. 2,00,000/- (two 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 petitioner 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.2,00,000/-(two 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  
28/01/2022

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