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Order -16  
16/02/2022

1. Petitioners present through attorney and counsel.

Power of attorney submitted in favour of petitioner No.1.

Evidence of petitioners present and recorded as PW-1 to PW-3.

Arguments heard and record perused.

2. Through publication in daily newspaper "Ausaf" dated; 13<sup>th</sup> 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. Abdul Wahid (Father), 02. Masteera Jan (Mother) and 03. Shakeela Jan (Widow) filed the instant application. Abdul Wahid (attorney) recorded his statement as PW-1, Fazal Ghani as PW-2 and Fazal Manan as PW-3 testified respectively. PW-1 submitted his power of attorney as Ex.PW-1/1, self CNIC copy as Ex.PW-1/2, Death certificate of deceased as Ex.PW-1/3, copy of bank account statement as Ex.PW-1/4 and copy of CNIC cancellation form of deceased Dawa Jan 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. 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	Abdul Wahid	Major	Father	50%
2	Mst Masteera Jan	Major	Mother	25%
3	Mst Shakeela Jan	Major	Widow	25%

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

FARUQ A. ULLAH  
Senior Civil Judge  
Orakzai District Tribunal  
16-02-22

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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. 200,000/- (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 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 petitioner's subject to surety bonds of Rs.200,000/- (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  
16/02/2022

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