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Order -03
28.01.2022

Petitioner present through attorney.

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.

File be put up for ex-parte petitioner's evidence on ^{4th} 02.02.2022.


Farman Ullah
Guardian Judge/SCJ
Orakzai at Baber Mela.


Order -4
04/02/2022

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; 20th 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 Zainaba (widow), 02. Niqab Gul (Son), 03 Talib Gul (Son), and 04 Mst Jana Khela (daughter) filed the instant application. Niqab Gul (attorney) recorded his statement as PW-1, Muhammad Yaseen as PW-2 and Haneef Gul 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, Last payment certificate of post office Hangu as Ex.PW-1/4, 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.


FARMANULLAH
Senior Civil Judge
Orakzai at Baber Mela.
04 2-22

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The available record on file prima facie establishes that petitioners are the legal heirs of deceased Didan Gul 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 Zainaba	Major	Widow	12.5%
2	Niqab Gul	Major	Son	35%
3	Talib Gul	Major	Son	35%
4	Mst Jana Khela	Major	Daughter	17.5%

The share of minors, if any 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. 50,000/-(fifty thousand) 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.50,000/-(fifty thousand) 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
04/02/2022

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