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Order -11
05/08/2021

Petitioner No. 4 present in person and as attorney for remaining petitioners.

Counsel for the petitioner also present.


Counsel for the petitioner submitted an application for amendment in petition. ~~Granted~~ **Accepted**

Amended petition submitted by the counsel.

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

Counsel for the petitioner sought time for arguments.
Granted.

File be put up for arguments on 02.09.2021.


Farman Ullah
Senior Civil Judge,
Orakzai at Baber Mela.

Order -12
02/09/2021

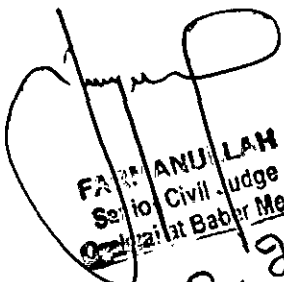
1. Petitioner No.4 present in person and as attorney for remaining petitioners.

Counsel for petitioner also present.

Arguments heard and record perused.

2. Through publication in daily newspaper "Ausaf" dated; 08th July, 2021 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 Khayal Jana (widow), 02. Muhammad Tariq (Son), 03. Irfan Ullah (Son), 04 Jahan Zeb (Son), 05. Khan Ullah (Son), 06. Nasheeda Bibi (daughter), 07. Jamsheda Bibi (Daughter) and


FARMAN ULLAH
Senior Civil Judge
Orakzai at Baber Mela
02.9.21

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07. Khayal Zamena (Daughter) filed the instant application. Jahan Zeb (attorney) recorded his statement as PW-1, Muhammad Khaliq as PW-2 and Rehman Ullah 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, pension book of deceased as Ex.PW-1/4, bank statement of deceased as Ex.PW-1/5 and family tree of as Ex.PW-1/6. 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.

The available record on file prima facie establishes that petitioners are the legal heirs of deceased Khaista Mir 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 Khayal Jana	Major	Widow	12.51%
2	Muhammad Tariq	Major	Son	15.91%
3	Irfan Ullah	Major	Son	15.91%
4	Jahan Zeb	Major	Son	15.91%
5	Khan Ullah	Major	Son	15.91%
6	Nasheeda Bibi	Minor	Daughter	7.95%
7	Jamsheda Bibi	Minor	Daughter	7.95%
8	Khayal Zamena	Major	Daughter	7.95%

The share of minors, at serial No.6 & 7 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. 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


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the petitioners 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
02/09/2021


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