

(4)


Order-05
06/09/2021

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

Counsel for the petitioners present.

Petitioner's evidence recorded as PW-1 and PW-02
and closed.

Counsel for the petitioners requested for
adjournment. Granted, file be put up for arguments
on 13.09.2021.


Faraman Ullah
Senior Civil Judge,
Orakzai at Baber Mela

Order -06
13/09/2021

1. Petitioner No.1 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; 09th
August, 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. Arif Khan (Son), 02. Naqib Khan (Son), 03.
Muhammad Ilyas (Son), 04 Mumtaz (Son), 05. Mst Farida (Widow),
and 06. Shakeela Naz (daughter) filed the instant application. Arif
Khan (attorney) recorded his statement as PW-1 and Muhammad Sadiq
as PW-2 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 statement of deceased as Ex.PW-1/4 and family tree


FARMANULLAH
Senior Civil Judge
Orakzai at Baber Mela
13.9.21

5

of 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.

The available record on file prima facie establishes that petitioners are the legal heirs of deceased Maseet 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 Farida	Major	Widow	12.51%
2	Arif Khan	Major	Son	19.44%
3	Naqib Khans	Major	Son	19.44%
4	Muhammad Ilyas	Major	Son	19.44%
5	Mumtaz	Major	Son	19.44%
6	Mst Shakila Naz	Major	Daughter	9.73%

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. 300,000/-(three 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.300,000/- (Three 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
13/09/2021

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