

Order -12
16/09/2021

1. Petitioners present through counsel and attorney.

Petitioner's evidence recorded and closed.

Arguments heard and record perused.

2. Through publication in daily newspaper "Ausaf" dated; 27th April, 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 Surat Bibi (widow), 02. Gul Pir Jana (Daughter), 03 Noor Jehan (Son), 04 Zarim Khan (Son), 05. Stori Khan (Son), 06. Muqarab Khan (Son), and 07. Karim Khan (Son) filed the instant application. Azeem Khan (attorney) recorded his statement as PW-1, Zafar Khan as PW-2 and Muhammad Said 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, bank statement of deceased as Ex.PW-1/4 and family tree 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 Buland 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 Surat Bibi | Major | Widow | 12.5% |
| 2 | Noor Jehan | Major | Son | 15.91% |
| 3 | Zarim Khan | Major | Son | 15.91% |
| 4 | Stori Khan | Major | Son | 15.91% |
| 5 | Muqarab Khan | Major | Son | 15.91% |
| 6 | Karim Khan | Major | Son | 15.91% |
| 7 | Gul Pir Jana | Major | Daughter | 7.95% |

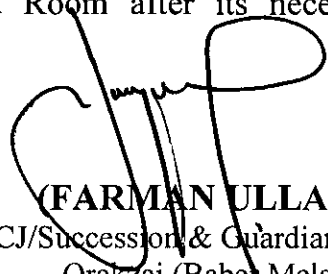
The share of minors, if any shall be deposited to the official account of Senior Civil Judge.

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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. 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
16/09/2021


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