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Order-05
18/09/2021

Petitioner No.1 present and as attorney for remaining petitioners along with counsel.


Counsel for the petitioner submitted an application for early hearing. On which case file was requisition from date fixed for today. Reason mention in application seems genuine, hence accepted and date is fixed for today.

Amended petition submitted by the petitioner.

Witnesses of petitioner also present.

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 29.09.2021.


Farman Ullah
Senior Civil Judge,
Orakzai at Baber Mela

Order-06
24/09/2021

Petitioner No.1 present and as attorney for remaining petitioners along with counsel.

Today the case was fixed for arguments but could not be heard as counsel for the petitioner sought time for arguments. Granted, file be put up for arguments on 28.09.2021.


Farman Ullah
Senior Civil Judge,
Orakzai at Baber Mela

(5)

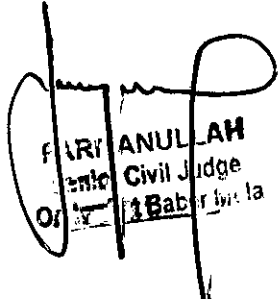
Order -07
28/09/2021

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

Arguments heard and record perused.

2. Through publication in daily newspaper "Ausaf" dated; 08th Sept, 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. Syed Saqib Jan (Son), 02) Syed Agha Ali (Son), 03) Syed Baqir Hussain (Son), 04) Syed Hussain Shah (Son), 05) Syed Saji Hussain (Son), 06) Mst Omel Jan (Daughter), 07) Mst Speen Khatoon (Daughter), 08) Mst Bibi Khatoon (Daughter) and 09) Mst Bibi Bapa Jan (Daughter) filed the instant application. Syed Saqib Jan (attorney) recorded his statement as PW-1, Syed Munib-ul- Hassan as PW-2 and Shah Gul Hassan as PW-3 testified respectively. PW-1 submitted his power of attorney as Ex.PW-1/1, his CNIC as Ex.PW-1/2, copy of death certificate of deceased as Ex.PW-1/3, his disability certificate as Ex.PW-1/4, death certificate of his deceased mother as Ex.PW-1/5. Family tree 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.


FARIQ ANUL AH
Senior Civil Judge
Ordnance
28.9.21

The available record on file prima facie establishes that petitioners are the legal heirs of deceased Syed Nazak Hussain 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	Syed Saqib Jan	Major	son	14.29%
2	Syed Agha Ali	Major	son	14.29%
3	Syed Baqir Hussain	Major	son	14.29%
4	Syed Hussain Shah	Major	son	14.29%
5	Syed Saji Hussain	Major	son	14.29%
6	Mst Omel Jan	Major	Daughter	7.14%
7	Mst Speen Khatoon	Major	Daughter	7.14%
8	Mst Bibi Khatoon	Major	Daughter	7.14%
9	Mst Bibi Bapa Jan	Major	Daughter	7.14%

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

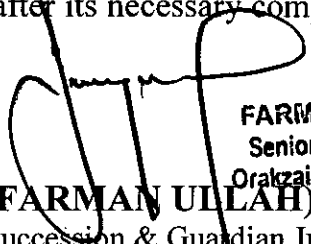
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5. As, there is no other legal heir of deceased and considering the request of the petitioners being genuine this application is allowed along with accrued profit and Succession Certificate is issued in favour of petitioners, subject to surety bond/undertaking to the tune of

Rs. 2,000,000/-(twenty 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. 2,000,000/-(twenty 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
28/09/2021


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