

Order -05
23/10/2021

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; 10th Oct, 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 Lal Zira Jan (widow), 02. Mamtaj Khan (Son), 03 Shabina Bibi (Daughter), 04 Zaman Ali (Son), 05. Asad Ali (Son), 06. Ahmad Ali (Son), 07. Saba Gul (Daughter) and 08. Zeenash Batool (Daughter) filed the instant application. Zaman Ali (attorney) recorded his statement as PW-1, Shoaib Ali as PW-2 and Amjid Ali 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 FRC 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 Luqman Ali 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 Lal Zira Jan	Major	Widow	12.51%
2	Mamtaj Khan	Major	Son	15.91%
3	Zaman Ali	Major	Son	15.91%
4	Asad Ali	Major	Son	15.91%
5	Ahmad Ali	Major	Son	15.91%
6	Shabina Bibi	Major	Daughter	7.95%
7	Saba Gul	Minor	Daughter	7.95%
8	Zeenash Batool	Minor	Daughter	7.95%


5

The share of minors, at S. No. 7 and 8 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 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
23/10/2021


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