

Order-05
12/11/2021

Petitioner present along with counsel.

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

File be put up for arguments on 19.11.2021.

Farman Ullah
Senior Civil Judge,
Orakzai at Baber Mela.

Order-06
19/11/2021

1. Petitioner along with counsel present. The petitioner seeks succession certificate in respect of legacy of deceased namely Zabita Khan , who died on 19/09/2019. Petitioner's evidence recorded as PW-01 to PW-03 and closed. Arguments heard and record perused.

2. Through publication in daily newspaper "Ausaf" dated; 14th October, 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 Naheed Ali (Son), filed the instant application. Faqeer Khan (guardian) recorded his statement as PW-1, Wazir Khan PW-2 and Abdul wadood as PW-3 testified respectively. PW-1 submitted guardian certificate as Ex.PW-1/1 , Death certificate of deceased Zabita Khan as Ex.PW-1/2, Death certificate of mother of petitioner as Ex,PW-1/3 and Saving certificates as Ex.PW-1/4 to Ex.PW-1/8 respectively. 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.

FARMANULLAH
Senior Civil Judge
Orakzai at Baber Mela
19.11.2021

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4. As, there is nothing in rebuttal, so therefore contention of the petitioner is believed to be correct. Therefore, the petitioner 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	Naheed Ullah	Minor	Son	100%

The share of minor, at S. No. 1 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 petitioner being genuine this application is allowed along with accrued profit and Succession Certificate is issued in favour of petitioner, subject to surety bond/undertaking to the tune of Rs. 1,000,000/-(Ten 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 petitioner 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 subject to surety bonds of Rs.1,000,000/-(ten 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
19/11/2021

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