

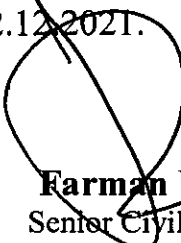
Order-08
25/11/2021

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

Power of attorney submitted in favour of petitioner No.1.

Petitioner's evidence recorded as PW-01 and PW-02 and closed.

File be put up for arguments on 02.12.2021.


Farman Ullah
Senior Civil Judge,
Orakzai at Baber Mela.

Order -09
02/12/2021


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

Counsel for petitioner submitted an application for mentioning the bank statement in petition. Hence accepted.

Arguments heard and record perused.

2. Through publication in daily newspaper "Ausaf" dated; 06th 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. Abdul Saif Khan (Son), 02. Muhammad Ayub (Son), 03 Bakhtawar Gul (Son), 04 Mst Piao Jan (daughter), 05. Wazir Jan Bibi (Daughter) and 06. Mst Sameela Jan Bibi (Daughter) filed the instant application. Abdul Saif Khan (attorney) recorded his statement as PW-1 and Shakir Ullah 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, death certificate of his deceased mother as Ex.PW-1/4, FRC Ex.PW-1/5, post office last payment detail as Ex.PW-1/6 and affidavit as Ex.PW-1/7. 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.


FARMAN ULLAH
Senior Civil Judge
Orakzai at Baber Mela
02.12.21

6

The available record on file prima facie establishes that petitioners are the legal heirs of deceased Khaista Gul 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	Abdul Saif Khan	Major	Son	22.22%
2	Muhammad Ayub	Major	Son	22.22%
3	Bakhtawar Gul	Major	Son	22.22%
4	Mst Piao Jan	Major	Daughter	11.11%
5	Mst Wazir Jan Bibi	Major	Daughter	11.11%
6	Mst Sameela Jan Bibi	Major	Daughter	11.11%

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. 100,000/-(one 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. 100,000/-(one 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
02/12/2021

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