

(4) Bibi Shamina Jan etc vs Anwar u was-

NIR
3-1-2022

The court is closed on the account of winter vacation.


File is to come up for

previous proceedings on 31-1-2022


Reeder

Order...04
28.01.2022

1. Petitioners through attorney Syed Kausar Ali Shah and through counsel present. The petitioners seek succession certificate in respect of legacy of deceased namely Ali Mohsin, who died on 21.04.2020. Arguments heard and record perused.
2. Through publication in daily newspaper "Ausaf" dated; 11th November, 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: Shahina Jan (widow), 02. Khatma Zehra (daughter), 03. Mst: Uzma Khatoon (daughter), 04. Mst: Haseeb Zehra (daughter), 05. Mst: Ume Zehra (daughter) and 06. Mst. Raya Bibi (daughter), filed the instant application. Syed Kausar Ali Shah (attorney) recorded his statement as PW-01 and Basit Ali Shah is appeared as PW-02. PW-01 (attorney) submitted his Power of attorney as Ex.PW-1/1, Copy of death certificate Ex. PW-1/2, Copy of CNIC of petitioner No.1 and Copy of Form-B of petitioner No.2 are Ex-PW 1/3 and Ex-PW1/4 respectively. Further publication is Ex-PW1/5 and Pension Payment Order


REHMAT ULLAH WAZIR
CIVIL JUDGE/JM-1
CAMP COURT
KALAYA ORAKZAI

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is Ex-PW1/6. All the exhibited documents and publication etc. are placed on file. Contents of the petition were reproduced and verified by the witnesses.

4. As, there is nothing in rebuttal, therefore, contention of the petitioners is believed to be correct. Therefore, the petitioners will inherit the legacy of deceased as per following shares;

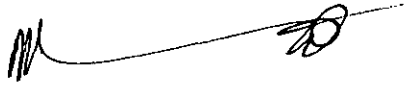
S. No	Name of petitioner legal heirs	Major/minor	Relation with deceased	Share Percentage	Share Amount
1	Mst: Shahina Jan	Major	Widow	12.5	Nil
2	Khatima Zahra	Minor	Daughter	17.5	Nil
3	Mst: Uzma Khatoon	Major	Daughter	17.5	Nil
4	Mst: Haseeb Zahra	Major	Daughter	17.5	Nil
5	Mst: Ume Zahra	Major	Daughter	17.5	Nil
6	Mst: Raya Bibi	Major	Daughter	17.5	Nil

The share of minor, on S/No. 02 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/- 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. Original succession certificate be given to the petitioners' subject to surety bonds while copy of the certificate be placed on file.

6. File be consigned to the Record Room after its necessary completion and compilation.

Announced
28.01.2022


(Rehmat Ullah Wazir)
Civil Judge-I,
Camp Court, Kalaya, Orakzai