

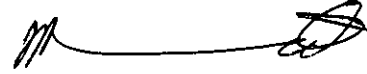
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Order-03
18.04.2022

Petitioners present through attorney.

Inquiry report has been returned and placed on file.

Publication received but none present on behalf of public at large. Hence, public at large is proceeded ex-parte. To come up for ex-parte evidence of petitioner on 26.04.2022.



Rehmat Ullah Wazir
Senior Civil Judge,
Orakzai at Baber Mela.

Order-04
26/04/2022

1. Petitioners through attorney and counsel present.


The petitioners seek succession certificate in respect of legacy of deceased namely Khan Ajab Khan, who died on 14/02/2022.

Petitioners' evidence recorded and closed.

Arguments heard and record perused.

2. Through publication in daily newspaper "Ausaf" dated; 16th April, 2022 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. Min Ajab Khan (Father) 02. Mst Kinara (Mother), 03. Mst Faida Mina Bibi (Widow), 04. Mst Aleeda Bibi (Daughter) filed the instant application. Min Ajab Khan (attorney) recorded his statement as PW-1, Ajrat Ullah as PW-2 and Muhammad Salil as PW-3 testified respectively. PW-1 submitted his power of attorney as Ex.PW-1/1 and Photocopy of my CNIC as Ex.PW-1/2, Photocopies of the CNIC of Petitioner No.2 and 3 are Ex.PW-1/3 and Ex.PW-1/4 respectively, photocopies of his that Death Certificate is Ex.PW-1/5,



9/22 (4)

Photocopies of FRC of deceased 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.

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

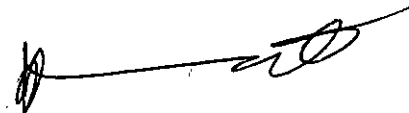
S. No	Name of petitioner legal heirs	Major/minor	Relation with deceased	Share Percentage
1	Min Ajab Khan	Major	Father	17.5%
2	Mst Kinara	Major	Mother	17.5%
3	Mst Faida Mina Bibi	Major	Widow	12.5%
4	Mst Aleeda Bibi	Minor	Daughter	52.5%

The share of minor at serial No.4 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. 400,000 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. Two original succession certificates be prepared; one original succession certificate be given to the petitioners subject to surety bonds of Rs.400,000/-(Four lacs) with two local sureties, while one be retained and placed on judicial file for record.

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

Announced
26/04/2022


(REHMAT ULLAH WAZIR)
SCJ/Succession & Guardian Judge,
Orakzai (Baber Mela)
REHMAT ULLAH WAZIR
Senior C
Orakzai