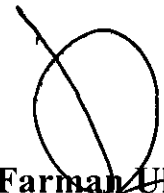


04

Order-04
19.02.2022

Petitioner present through attorney.

Publication received but none present on behalf of respondents. Hence, respondents are proceeded ex-parte. File be put up for ex-parte petitioner's evidence on 26.02.2022.


Farman Ullah
Senior Civil Judge,
Orakzai at Baber Mela.

Order-05
26/02/2022

1. Petitioners present through attorney and counsel.

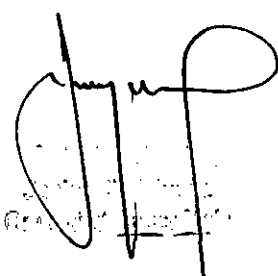
Ex-parte petitioner's evidence recorded as PW-01 to PW-03 and closed.

Ex-parte arguments heard and record gone through.

The petitioners seek succession certificate in respect of legacy of deceased namely Zar Jamala who died on 06/02/2019.

2. Through publication in daily newspaper "Ausaf" dated; 15th Feb, 2022 general public was asked to submit objections, if any, however, no one appeared before the court, so proceeded ex-parte.

3. Petitioner No. 01. Shah Wazir (Son), 02. Mst Salma Bibi (Daughter) filed the instant application. Shah Wazir recorded his statement as PW-1, Muhammad Zaman as PW-2 and Muhammad Ishfaq as PW-03 testified respectively. PW-1 submitted his power of attorney as Ex.PW-1/1, his CNIC as Ex.PW-1/2, copy of death certificate of deceased as Ex.PW-1/3, FRC as Ex.PW-1/4, and copy of CNIC of petitioner No. 2 as Ex.PW-1/5. All the exhibited documents, publication


26-2-22

and report of process server etc, are placed on file. Contents of the petition were reproduced and verified by the witnesses.

4. The available record on file prima facie establishes that petitioner and respondents No.1 and 2 are the legal heirs of deceased Zar Jamala as there is nothing in rebuttal. Hence, petitioners along with respondents No. 1 and 2 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	Shah Wazir	Major	Son	33.33%
2	Niat Gul	Major	Son	33.33%
3	Mst Salma Bibi	Major	Daughter	16.67%
4	Mst Basan Bibi	Major	Daughter	16.67%

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 and respondent No. 1 and 2, subject to surety bond/undertaking to the tune of Rs. 100,000/- (one lac) 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 petitioners subject to surety bonds of Rs.100,000/-(one lac) 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
26/02/2022

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