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Order-6
18/04/2022

1. Petitioners through attorney and counsel present.

The petitioners seek succession certificate in respect of legacy of deceased namely Jamshid Khan, who died on 09/09/2021.

Petitioners' evidence recorded and closed.

Arguments heard and record perused.

2. Through publication in daily newspaper "Ausaf" dated; 27th March, 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.Mst Rabegha (Widow), 02. Ayesha Bibi (Daughter), 03. Muhammad Asif (Son), 04. Muhammad Arif (Son), 05. Kashif Khan (Son), 06. Mst Ghanida Jana (Mother) filed the instant application. Muhammad Shah Zeb (attorney) recorded his statement as PW-1, Ghamar Khan as PW-2 and Munawar Khan 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, Copy of CNIC of Petitioner No.1 (Widow of deceased) is Ex.PW-1/3, Copy of CNIC of petitioner No.06 (Mother of deceased) is Ex.PW-1/4, Death Registration Certificate as Ex.PW-1/5, Copy of CNIC of deceased is Ex.PW-1/6, Visa Card (UAE) of deceased is Ex.PW-1/7, Passport copy of deceased is Ex.PW-1/8, OPF form of deceased is Ex.PW-1/9, Form B of petitioner No.02 to 05 is Ex.PW-1/10. 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

RECORDED
18/04/2022

the legacy of deceased as per following shares;

S/ No	Name of petitioner legal heirs	Major/minor	Relation with deceased	Share Percentage
1	Mst Ghanida Jana	Major	Mother	16.66%
2	Mst Rabegha	Major	Widow	12.5%
3	Muhammad Asif	Minor	Son	20.24%
4	Muhammad Arif	Minor	Son	20.24%
5	Kashif Khan	Minor	Son	20.24%
6	Mst Ayesha Bibi	Minor	Daughter	10.12%

The share of minors at serial No.3 to 6 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. 1,000,000 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.1,000,000/-(Ten 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
18/04/2022

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