

Order -05  
25/07/2022

04

1. Petitioners present through counsel and attorney.

Petitioner's evidence recorded and closed.

Arguments heard and record perused.

2. Through publication in daily newspaper "Ausaf" dated; 25.06.2022 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 Makhmeena (Mother), 02. Mst Santari Jan (Widow), 03. Mst Nazia (Daughter), 04. Janat Mir (Son) filed the instant application. Shindi Gul (attorney) recorded his statement as PW-1, Tehsil Ahmad as PW-2 testified respectively. PW-1 submitted his copy of his CNIC as Ex.PW-1/1, power of attorney as Ex.PW-1/2, Copy of CNIC of petitioner No. 1 as Ex.PW-1/3, death certificate of deceased as Ex.PW-1/4, Form "B" of petitioner No. 3 as Ex.PW-1/5. 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.

The available record on file prima facie establishes that petitioners are the legal heirs of deceased Said Mir 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	Mst Makhmeena	Major	Mother	16.67%
2	Mst Santari Jan	Major	Widow	12.51%
3	Janat Meer	Major	Son	47.22%
4	Mst Nazia	Minor	Daughter	23.6%

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

**REEMAT ULLAH WAZIR**  
Senior Civil Judge/JM,  
Orakzai at Baber Mela

(25)

petitioners, subject to surety bond/undertaking to the tune of Rs. 500,000/- 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. 500,000/- (five 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  
25/07/2022

  
(REHMATALAH YAQOUB,  
SCJ/Succession & Probate Judge,  
Senior Civil Judge,  
Orakzai (Baber Mela)