

Order -02
25/07/2022

1. Petitioners present through counsel.

Arguments heard and record perused.

2. Through publication in daily newspaper "Ausaf" dated; 25th 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. Salim Muhammad (father), 02. Muhammad Aqel(Son), 03. Muhammad Ashraf (Son), 04 Muhammad Amir (Son), 05. Muhammad Salih (Son), 06. Mst Bibi Zahira (Widow), 07. Mst Bibi Radifa (daughter), 08. Mst Bibi Hifsa (daughter), 09. Mst Bibi Saliha (daughter), 10. Mst Bibi Sahiba Bibi (daughter), 11. Mst Bibi Akhaida (daughter), 12. Mst Bibi Khojina (daughter) filed the instant application. Salim Muhammad (attorney) recorded his statement as PW-1, Abdul Ghafar as PW-2 and Gul Khan as PW-03 testified respectively. PW-1 submitted his power of attorney as Ex.PW-1/1, copies of the CNICs of petitioners as Ex.PW-1/2 to PW-1/12 respectively, death certificate of deceased as Ex.PW-1/13, bank statement of deceased as Ex.PW-1/14. 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.

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

The available record on file prima facie establishes that petitioners are the legal heirs of deceased Fazal Hakeem 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	Salim Muhammad	Major	Father	16.66%
2	Mst Bibi Zahira	Major	Widow	12.5%
3	Muhammad Aqel	Major	Son	10.12%
4	Muhammad Ashraf	Major	Son	10.12%
5	Muhammad Amir	Major	Son	10.12%
6	Muhammad Salih	Major	Son	10.12%
7	Mst Bibi Radifa	Major	Daughter	5.06%

12

8	Mst Bibi Hifsa	Major	Daughter	5.06%
9	Mst Bibi Saliha	Major	Daughter	5.06%
10	Mst Sahiba Bibi	Major	Daughter	5.06%
11	Mst Bibi Akhaida	Major	Daughter	5.06%
12	Mst Bibi Khojina	Major	Daughter	5.06%

The share of minors, if any 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/-(four lacs) 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.

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

Announced
25/07/2022

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