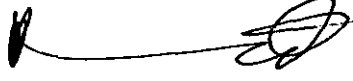


Order-05
20/07/2022

The case file is fixed for 21.07.2022, the day on which, the undersigned will be busy in recruitment process being a Chairman of Departmental Selection Committee, therefore, PP be given to the parties for the date fixed.

File be put up for previous proceedings on 28.07.2022.


Rehmat Ullah Wazir
Senior Civil Judge/JM,
Orakzai at Baber Mela

Order-06
28/07/2022

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 Salim Khan who died on 10/10/2008.

2. Through publication in daily newspaper "Ausaf" dated; 26th June, 2022 general public was asked to submit objections, if any, however, no one appeared before the court, so proceeded ex-parte.


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

3. Petitioner No. 01. Bahadar Khan (Son), 02. Sameen Khan (Son), 03 Mst Khyal Meena (Daughter), 04. Zarman Khela (Daughter), 05. Pir Gula (Daughter), 06. Akila Bibi (Daughter), 07. Khan Khela (widow) filed the instant application. Bahadar Khan recorded his statement as PW-1, Naseem Khan as PW-2 and Bahawal Khan as PW-03 testified

5

respectively. PW-1 submitted his power of attorney as Ex.PW-1/1, copy of death certificate of deceased as Ex.PW-1/3, bank statement as Ex.PW-1/4. 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. The available record on file prima facie establishes that petitioners and respondent No. 4 is the legal heir of deceased Salim Khan as there is nothing in rebuttal. Hence, petitioners along with respondent No. 4 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 Khan Khela	Major	Widow	12.5%
2	Bahadar Khan	Major	Son	17.5%
3	Sameen Khan	Major	Son	17.5%
4	Babu Khan	Major	Son	17.5%
5	Mst Khyal Meena	Major	Daughter	8.75%
6	Mst Zarman Khela	Major	Daughter	8.75%
7	Mst Pir Gula	Major	Daughter	8.75%
8	Mst Akila Bibi	Major	Daughter	8.75%

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. 4, subject to surety bond/undertaking to the tune of Rs. 500,000/- (five 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 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.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
28/07/2022


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

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