

Order -04
16/09/2022

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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; 28.07.2022 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 Gul Shewa (Widow), 02. Abdul Sadeeq (Son), 03. Muhammad Rael (Son), 04. Izat Ullah (Son), 05. Mst Zamina Bibi (Daughter), 06. Mst Hazia Bibi (Daughter), 07. Mst Sameeda Bibi (Daughter), 08. Mst Liaqa Bibi (Mother) and 09. Mst Tajida Bibi (Daughter) filed the instant application. Khalil Rehman (attorney) recorded his statement as PW-1, Muhammad Raheem as PW-2 testified respectively. PW-1 submitted his power of attorney as Ex.PW-1/1, copy of his CNIC as Ex.PW-1/2, Copy of CNIC of petitioner No. 1 as Ex.PW-

1/3. 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 Yousaf Khan 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 Liaqa Bibi	Major	Mother	16.67%
2	Mst Gul Shewa	Major	Widow	12.5%
3	Abdul Sadeeq	Major	Son	14.17%
4	Muhammad Rael	Major	Son	14.17%
5	Izat Ullah	Major	Son	14.17%
6	Mst Zamina Bibi	Major	Daughter	7.08%
7	Mst Hazia Bibi	Major	Daughter	7.08%
8	Mst Sameeda Bibi	Major	Daughter	7.08%
9	Mst Tajida Bibi	Major	Daughter	7.08%


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

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The share of minor 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. 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
16/09/2022


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