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Order -05

29/11/2022

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; 17.11.2022 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 Tila Jan (Widow), 02) Abdul Rauf (Son), 03) Muhib Khan (Son), 04) Mst Isar Jan (Daughter), 05) Mst Sawamina (Daughter), 06) Mst Naswila Jan (Daughter), 07) Mst Shazia Bibi (Daughter) filed the instant application. Muhammad Sajid (attorney) recorded his statement as PW-1, Abid Naeem as PW-2 and Muhammad Shoaib as PW-3 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 death certificate as Ex.PW-1/3, FRC as 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.

The available record on file prima facie establishes that petitioners are the legal heirs of deceased Ali Akbar 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	Date of Majority	Relation with deceased	Share Percentage
1	Mst Tila Jan	Major	N.A	Widow	12.5%
2	Abdul Rauf	Major	N.A	Son	21.88%
3	Muhib Khan	Major	N.A	Son	21.88%
4	Mst Isar Jan	Major	N.A	Daughter	10.94%
5	Mst Sawamina	Major	N.A	Daughter	10.94%
6	Mst Naswila Jan	Major	N.A	Daughter	10.94%
7	Mst Shazia Bibi	Major	N.A	Daughter	10.94%

The share of minor if any shall be deposited to the official account of Senior Civil Judge.


REHMAN
 (Senior Civil Judge/JM,
 Orakzai at Baber Mela)

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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. Original succession certificate be given to the petitioners' subject to surety bonds while copy of the certificate be placed on file.

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

Announced
29/11/2022


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