

(B)

Order -03
27/07/2022

1. Petitioners present through counsel and attorney.

Inquiry notice has been returned and placed on file. Publication received but none present on behalf of public at large. Hence, public at large is proceeded ex-parte.

Petitioner's evidence recorded and closed.

Arguments heard and record perused.

2. Through publication in daily newspaper "Ausaf" dated; 26.07.2022 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 Razia Bibi (Widow), 02. Munir Rehman (Son), 03. Amir Rehman (Son), 04. Ibrahim (Son), 05. Sabil Khan (Father), 06. Mst Naseeb Jana (Mother) filed the instant application.

Khan Marjan (attorney) recorded his statement as PW-1, Khan Shereen as PW-2 and Ihsan Ullah 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 CNIC of petitioner No. 1 as Ex.PW-1/3, death certificate of deceased 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.

The available record on file prima facie establishes that petitioners are the legal heirs of deceased Hayat 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	Sabil Khan	Major	Father	16.67%
2	Naseeb Jana	Major	Mother	16.67%
3	Mst Razia Bibi	Major	Widow	12.5%
4	Munir Rehman	Minor	Son	18.06%
5	Amir Rehman	Minor	Son	18.06%
6	Ibrahim	Minor	Son	18.06%

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


(4)

The share of minors at serial No. 4, 5 & 6 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
27/07/2022


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

REHMAT ULLAH WAZIR
Senior Civil Judge,
Orakzai at Baber Mela