

**IN THE COURT OF ZAHIR KHAN, CIVIL JUDGE-I/GUARDIAN  
JUDGE, KALAYA, ORAKZAI**

Petition No..... 3/5 neam of 2024  
 Date of original institution..... 02.05.2024  
 Date of present institution..... 03.06.2024  
 Date of decision .....11.06.2024

Mst. Hazima Jan etc .....(Petitioners)

vs

Public at large .....(Respondent)

**Order -11**  
11.06.2024

Petitioners present through special attorney and counsel. Respondents have already been placed and proceeded against ex-parte. Ex-parte evidence recorded and closed. Ex-parte arguments heard and record perused.

Petitioner No. 1) Mst. Hazima Jan (Widow), 2) Ahmad Abbas (Son), 3) Muhammad Abbas (Son), 4) Safdar Abbas (Son), 05) Mst. Humaira Batool (Daughter), 06) Mst. Nazish Batool (Daughter) , 07) Mst. Asma Batool (Daughter) and 08) Mst. Abeeha Zahra (Daughter) have filed the instant petition for grant of succession certificate contenting that husband of petitioner No. 1 and father of petitioner No. 2 to 8 died on 30.11.2022 and they are the successors/legal heirs of the said deceased (Shoaib Ali).

During course of recording evidence, Tofail Hassan (special attorney) recorded his statement as PW-1, Bilal Hassan as PW-2 and Ilman Ali as PW-3. PW-1 submitted his power of attorney as Ex.PW-1/1, copy of account statement as Ex.PW-1/2, copy of death certificate as Ex.PW-1/3, Family Tree as PW-1/4, Form "B" as Ex.PW-1/5,

Ammir

ZAHIR KHAN  
Civil Judge/JM  
Kalaya Orakzai

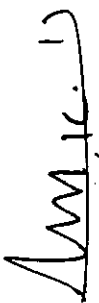
11/06/2024

Form "B" of minors as Ex.PW-1/6, copy of CNIC of petitioner No. 1 as Ex.PW-1/7, and Decline certificate as Ex.PW-1/8. 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 Shoaib Ali as there is nothing in rebuttal. Hence, petitioners will inherit the legacy of deceased as per shari shares.

In the absence of any rebutting evidence, petitioners are hereby declared as the legal heirs of the deceased named above. Succession Certificate be issued in favour of the petitioners on furnishing surety bonds/undertaking in the sum of Rs: 500,000/- (five lac) with two local & reliable sureties each in the like amount to the satisfaction of this Court to the effect that if there appears any other legal heir of the deceased except above named legal heirs, they would be responsible to the court.

Before closing, it is pertinent to mention that this certificate does not confer any title to the holder of the certificate and does not conclusively determine the shares in the securities/debts, rather this certificate is issued with the sole purpose to recover the securities/debts from the department concerned. Thus, any person(s), if aggrieved, may press his/their rights through a suit before a competent Forum and to recover the amount received on the basis of said certificate to the extent of his/their shares on the basis thereof. Similarly, this certificate does not place bar on the right of any aggrieved person to establish his/their title and entitlement in the dues of the deceased before a competent court of jurisdiction.



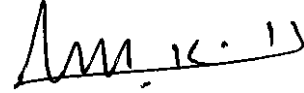
**ZAHIR KHAN**  
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11/04/24

*In case, if there is any minor (s) legal heir, then share of the minor (s) be kept intact and shall not be dispose of without prior permission of the Court.*

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

Announced  
11.06.2024



(Zahir Khan)  
CJ-I/Succession & Guardian Judge,  
Tehsil Kalaya, Orakzai

11/06/24