

IN THE COURT OF MUHAMMAD AYAZ KHAN,
SENIOR CIVIL JUDGE, ORAKZAI AT BABER MELA

Order
 04/11/2019

Nawaz Ali as attorney for rest of the petitioners along with counsel present. The petitioners seek succession certificate in respect of legacy of deceased namely Khadim Ali, who died on 27/10/2017. Arguments heard and record perused.

2. Through publication in daily newspaper "Ausaf" dated; 14th July, 2019 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 Onzila Jan (widow), 02. Salma (Daughter), 03. Jihad Hussain (son), 04. Amil Hussain (son) 05. Qamar Abbas (son) 06. Murtaza Hussain (son) filed the instant application. Attorney of the petitioners, Nawaz Ali recorded his statement as PW-1, while Dilawar Khan as PW-2 and Sadiq Ali as PW-3 testified respectively. PW-1 submitted his power of attorney as Ex. PW-1/1 and copy of his CNIC as Ex. PW-1/2, family registration certificate as Ex. PW-1/3, form-B as Ex. PW-1/4, copy death certificate of deceased as Ex. PW-1/5, copy of CNIC of petitioner No.1 as Ex. PW-1/6, copy of CNIC of petitioner No.3 as Ex. PW-1/7, copy of CNIC of petitioner No.4 as Ex. PW-1/8, bank statement as Ex. PW-1/9 and copy of CNIC of the petitioner No. 2 as Ex. PW-1/10. 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.


MUHAMMAD AYAZ
 Senior Civil Judge,
 Orakzai at Hangu

4. As, there is nothing in rebuttal, so therefore contention of the petitioners is believed to be correct. Therefore, the 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	Onzila Jan	Major	Widow	12.5%
2	Salma	Major	Daughter	9.7%
3	Jihad Hussain	Major	Son	19.45%
4	Amil Hussain	Major	Son	19.45%
5	Qamar Abbas	Minor	Son	19.45%
6	Murtaza Hussain	Minor	Son	19.45%

The share of minors, on S.No.4 and 5 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. 130,000 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 petitioner 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
04/11/2019



(Muhammad Ayaz Khan)
SCJ/Succession & Guardian Judge,
Orakzai (Baber Mela)