

Order-6  
06/06/2020

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Petitioner absent. Notice be issued to the petitioner for date fixed. File be put up for arguments on 19.06.2020.

**Farman Ullah**  
Senior Civil Judge,  
Orakzai at Baber Mela.

**IN THE COURT OF FARMAN ULLAH**  
SENIOR CIVIL JUDGE. ORAKZAI AT BABER MELA

Order-7  
19/06/2020

1. Petitioner through attorney Gul Marjan and through counsel present. The petitioner seeks succession certificate in respect of legacy of deceased namely Mst Silawar Jan, who died on 01/10/2019. Arguments heard and record perused.
2. Through publication in daily newspaper "Ausaf" dated; 5<sup>th</sup> February, 2020 general public was asked to submit objections, if any, however, no one appeared before the court, so ex-parte proceedings were conducted.
3. Petitioner Mst Khial Naza filed the instant application. Gul Marjan (attorney) recorded his statement as PW-1, Hareef Khan as PW-2 and Naseem Jan as PW-3 testified respectively. PW-1 submitted his CNIC as Ex.PW-1/1, copy of CNIC of the petitioner as Ex.PW-1/2, death certificates of the parents of the petitioner as Ex.PW-1/3, Bank Statement 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.
4. As, there is nothing in rebuttal, so therefore contention of the petitioner is believed to be correct. Therefore, the petitioner will inherit

(07)

the legacy of deceased as per following shares;

S. No	Name of petitioner legal heir	Major/minor	Relation with deceased	Share Percentage	Share amount
1	Mst Khial Naza	Major	Daughter	100 %	148,429/-

5. As, there is no other legal heir of deceased and considering the request of the petitioner being genuine this application is allowed along with accrued profit and Succession Certificate is issued in favour of petitioner, subject to surety bond/undertaking to the tune of Rs. 1,00,000 with 02 local sureties each in the like amount to the satisfaction of this court. If any legal heir/objector appear in future, the petitioner 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**  
19/06/2020

  
**FARMANULLAH**  
Senior Civil Judge  
Orakzai (Baber Mela)  
**(FARMAN ULLAH)**  
SCJ/Succession & Guardian Judge,  
Orakzai (Baber Mela)