

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

Order
22/01/2020

Attorney Muhammad Shoaib for rest of the petitioners along with counsel present. The petitioners seek succession certificate in respect of legacy of deceased namely Ali Asghar, who died on 19/08/2019. Arguments heard and record perused.

2. Through publication in daily newspaper "Ausaf" dated; 19th December, 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 Mst Zakiya (widow), 02. Hasnain (Son), 03. Khan Akbar (father), 04. Mst Maimoona Bibi (Mother) filed the instant application. Muhammad Shoaib (attorney) recorded his statement as PW-1, Baitullah as PW-2 and Khaistan Akbar testified respectively. PW-1 submitted his power of attorney as Ex.PW-1/1, copy of his CNIC as Ex.PW-1/2, CNIC of petitioner No.1 namely Zakiya, copy of CNIC of the father of the deceased namely Khan Akbar as Ex.PW-1/4, copy of CNIC of the mother of the plaintiff as Ex.PW-1/5, death certificate of the deceased as Ex.PW-1/6, passport of the deceased as Ex.PW-1/7 and other travelling documents of the deceased as Ex.PW-1/8. 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 petitioners is believed to be correct. Therefore, the petitioners will inherit


MUHAMMAD AYAZ
Senior Civil Judge,
Orakzai at Hangu

the legacy of deceased as per following shares;

S. No	Name of petitioner legal heirs	Major/minor	Relation with deceased	Share Percentage
1	Mst Zakiya	Major	Widow	12.5 %
2	Hasnain	Minor	Son	54.2 %
3	Khan Akbar	Major	Father	16.7 %
4	Memona Bibi	Major	Mother	16.7 %

The share of minors, on S.No.2 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. 200,000 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
22/01/2020


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