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Note Reader  
30/11/2020

The presiding officer is on causal leave.

File be put up for previous proceedings on  
12.12.2020.



Order -7  
12/12/2020

1. Petitioners present through counsel and attorney. Evidence of petitioners present and recorded as PW-1 to PW-3.

Arguments heard and record perused.

2. Through publication in daily newspaper "Ausaf" dated; 11 Oct, 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 No. 01. Shazia (Widow), 02. Muhammad Arif (Son) 03. Seraja (daughter) 04. Dilraja (daughter) 05. Asya (daughter) 06. Muhammad Hamza (Son) 07. Bushra (daughter) 08. Muhammad Hazeefa 09. Khyal Nama (Mother) filed the instant application. Muhammad Arif (attorney) recorded his statement as PW-1, Naimat Ullah as PW-2 and Rafi-uddin as PW-3 testified respectively. PW-1 submitted his power of attorney as Ex.PW-1/1, Copy of CNIC as Ex.PW-1/2, Copy of CNIC of deceased Ex.PW-1/3, Copy of Death Certificate Ex.PW-1/4, Copy of Service Book as Ex.PW-1/5, Copy of CNIC of Petitioner No. 1 as Ex-PW-1/6, Petitioner No. 3 Birth Certificate as Ex-PW-1/7, Petitioner No. 4 Birth Certificate as Ex.PW-1/8, Petitioner No. 5 Birth Certificate as Ex-PW-1/9, Petitioner No. 6 Birth Certificate as Ex-PW-1/10, Petitioner No. 7 Birth Certificate as Ex-PW-1/11, Petitioner No. 8 Birth Certificate as Ex-PW-1/12 and Copy of Bank Statement as Ex-PW-1/13. All the exhibited documents,

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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 the legacy of deceased as per following shares;

S. No	Name of petitioner legal heirs	Major/minor	Relation with deceased	Share Percentage
1	Khyal Nama	Major	Mother	16.7 %
2	Mst Shazia	Major	Widow	12.5 %
3	Muhammad Hamza	Minor	Son	14.16 %
4	Muhammad Arif	Major	Son	14.16 %
5	Muhammad Huzaifa	Minor	Son	14.16 %
6	Seraja	Major	Daughter	7.07 %
7	Dilraja	Major	Daughter	7.07 %
8	Asya	Minor	Daughter	7.07 %
9	Bushra	Minor	Daughter	7.07 %

The share of minors at S. No.3, 5, 8 and 9 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. 100,000 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**  
12/12/2020

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