

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

(03)

Order
06/02/2020

Muhammad Hayat as attorney for rest of the petitioners along with counsel present. The petitioners seek succession certificate in respect of legacy of deceased namely Gul Muhammad, who died on 16/12/2018. Arguments heard and record perused.

2. Through publication in daily newspaper "Ausaf" dated; 21st January, 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 Gul Zarina (widow), 02. Khan Muhammad (Son), 03. Noshad Bibi (Daughter), filed the instant application. Attorney, Muhammad Hayat recorded his statement as PW-1, while Jafar Khan as PW-2 and Abu Bakar as PW-3 testified respectively. PW-1 submitted his power of attorney as Ex.PW-1/1, death certificate of the deceased as Ex.PW-1/2, Bank statement as Ex.PW-1/3, copy of his own CNIC as Ex. PW-1/4 and family registration certificate as Ex. PW-1/5. 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 the legacy of deceased as per following shares;

S. No	Name of petitioner legal heirs	Major/minor	Relation with deceased	Share Percentage
1	Gul Zareena	Major	Widow	12.5 %
2	Khan Muhammad	Major	Son	58.3 %
3	Noshad Bibi	Major	Daughter	29.2 %

4

The share of minors, if any, 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
06/02/2020



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

MUHAMMAD AYAZ
Senior Judge,
Orakzai at Hangu.