

Order No. 07
11/10/2019

Petitioners through Minat Shah as attorney for rest of the petitioners along with counsel present. The petitioners seek succession certificate in respect of legacy of deceased namely Mst Gul Maro, who died on 05/07/2019. Arguments heard and record perused.

2. Through publication in daily newspaper "Ausaf" dated; 22nd September, 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 Sunat Shah, 02. Minat Shah, 03. Muhammad Jamila, filed the instant application. Attorney of the petitioner recorded his statement as PW-1, while Saifu Rehman as PW-2 and Waheed Ullah as PW-3 testified respectively. PW-1 submitted his power of attorney as Ex. PW-1/1 and copy of his CNIC Ex. PW-1/2, copy of death certificate of deceased as Ex. PW-1/3, copy of deceased CNIC as Ex. PW-1/4, copy of death certificate of his father as Ex. PW-1/5, copy of CNIC of petitioners No. 1 as Ex. PW-1/6, copy of CNIC of petitioner No. 3 as Ex. PW-1/7, Copy of family registration certificate as Ex. PW-1/8, copy of account statement as Ex. PW-1/9 copies of CNICs of PW-2 and PW-3 Ex. PW-2/1 and Ex. PW-3/1. 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;



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S. No.	Name of petitioner legal heirs	Major/minor	Relation with deceased	Share Percentage
1	Sunat Shah	Major	Son	40 %
2	Minat Shah	Major	Son	40 %
3	Mst Muhammad Jamila	Major	Daughter	20 %

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. 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. Petitioner is directed to submit the surety bond to the tune of 66,000. The share of minors, if any, shall be deposited in the official account of Senior Civil Judge. 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
11/10/2019



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