

Order
02/11/2019

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Petitioner No.2 Ihsab Ullah as attorney for rest of the petitioners along with counsel present. The petitioners seek succession certificate in respect of legacy of deceased namely Ajmir Khan, who died on 09/11/2009. Arguments heard and record perused.

2. Through publication in daily newspaper "Ausaf" dated; 24th October, 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 Noor Mina (widow), 02. Ihsan Ullah (son), 03. Shabina (daughter), 04. Zahir Marjan (Mother) filed the instant application. Attorney of the petitioners, Ihsan Ullah recorded his statement as PW-1, while Shafi Ullah as PW-2 and Aziz Rehman 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 his mother CNIC as Ex. PW-1/3, form-B of his sister as Ex. PW-1/4, copy of CNIC of petitioner No.4 as Ex. PW-1/5, CNIC of deceased as Ex. PW-1/6 and death certificate as Ex. PW-1/7. Copies of CNICs of PW-2 and PW-3 is 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.


MUHAMMAD AYAZ
Senior Civil Judge,
Orakzai at Hangu

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	Noor Mina	Major	Widow	12.5%
2	Ihsan Ullah	Major	Son	47.2%
3	Shabina	Minor	Daughter	23.6%
4	Zahir Marjan	Major	Mother	16.7%


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The share of minor, on S.No.3, 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. 3 lacs 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
02/11/2019


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

Continued

MUHAMMAD AYAZ
Senior Civil Judge,
Orakzai, at Hangul