

(3)


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

Order
26/02/2020

Petitioner No.2 Faiz Ullah as attorney for rest of the petitioners along with counsel present. The petitioners seek succession certificate in respect of legacy of deceased namely Muhammad Janan, who died on 18/01/2016. Arguments heard and record perused.

2. Through publication in daily newspaper "Ausaf" dated; 31st 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 Mst Zar Jamala (widow), 02. Faiz Ullah (Son), 03. Murad Khan (son), 04. Shamima Bibi (Daughter) 05. Arab Khan (Son) 06. Imran (son) 07. Shamshad Bibi (Daughter) 08. Mst Shahida Bibi (Daughter) 09. Mst Noor Shad Bibi (Daughter) 10. Maiz Ullah (son) and 11. Peena Bibi (Daughter) filed the instant application. Muhammad Sabir recorded his statement as PW-1, Faiz Ullah as PW-2 and Aka khel as PW-3 testified respectively. PW-2 submitted his power of attorney as Ex.PW-2/1, copy of his CNIC as Ex.PW-2/2, CNIC of Mst Zar Jamala as Ex.PW-2/3, copy of CNIC of petitioner No.7 namely Shamshad Bibi as Ex.PW-2/3-A, Imran's CNIC as Ex.PW-2/4, Murad Khan CNIC as Ex.PW-2/5, copy of CNIC of deceased as Ex.PW-2/6, death certificate as Ex.PW-2/7, CNIC of Shamima Bibi as Ex.PW-2/8, Arab Jan CNIC as Ex.PW-2/9, CNIC of Noor shad Bibi as Ex.PW-2/10, CNIC of Shahida Bibi as Ex.PW-2/11, Bank statement as Ex.PW-2/12 and service record as Ex.PW-2/13. All the exhibited documents, publication and report of process server etc.



MUHAMMAD AYAZ
Senior Civil Judge
Orakzai at Hangu

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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	Share Amount
1	Zar Jamala	Major	Widow	12.5 %	Rs. 100,943/-
2	Faiz Ullah	Major	Son	12.5 %	Rs. 100,943/-
3	Murad Khan	Major	Son	12.5 %	Rs. 100,943/-
4	Shamima Bibi	Major	Daughter	6.25 %	Rs. 50,471/-
5	Arab Khan	Major	Son	12.5 %	Rs. 100,943/-
6	Imran	Major	Son	12.5 %	Rs. 100,943/-
7	Shamshad Bibi	Major	Daughter	6.25 %	Rs. 50,471/-
8	Shahida Bibi	Major	Daughter	6.25 %	Rs. 50,471/-
9	Noor shad Bibi	Minor	Daughter	6.25 %	Rs. 50,471/-
10	Maiz Ullah	Minor	Son	12.5 %	Rs. 100,943/-

The share of minors, on S.No.9 and 10 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. 800,000 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
26/02/2020



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