

**Order - 6**  
24/07/2020

(b)

Petitioner No.2, Jahanzeb Khan as attorney for rest of the petitioners along with counsel present. The petitioners seek succession certificate in respect of legacy of deceased namely Sher Ghamai, who died on 24.04.2020. Arguments heard and record perused.

2. Through publication in daily newspaper "Ausaf" dated; 16<sup>th</sup> June, 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 Iran Bibi (widow), 02. Jahanzeb Khan (Son), 03. Aurangzeb (son), 04. Muhammad Ilyas (Son) 05. Shafi Ullah (Son) 06. Mst Binan Bibi (Daughter) filed the instant application. Jahanzeb Khan recorded his statement as PW-1, Abdul Manan as PW-2 and Zia Anwar as PW-3 testified respectively. PW-1 submitted copy of his CNIC as Ex.PW-1/1, His power of attorney as Ex.PW-1/2, Death Certificate as Ex.PW-1/3, Copy of his CNIC of the deceased as Ex.PW-1/4, Bank Statement as Ex.PW-1/5, Copy of CNIC of petitioner No. 01, Mst Iran Bibi as Ex.PW-1/6, copy of CNIC of petitioner No.3 as Ex.PW-1/7 and Family Tree as EX.PW-1/8. PW-02 and PW-03 submitted copies of their CNICs as Ex.PW-2/1 and Ex.PW-3/1 respectively. 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	Share Amount
1	Mst Iran Bibi	Major	Widow	12.5 %	Rs. 8,957.75/-
2	Jahanzeb Khan	Major	Son	19.44 %	Rs. 13,934.28/-
3	Aurangzeb	Major	Son	19.44 %	Rs. 13,934.28/-
4	Muhammad Ilyas	Minor	Son	19.44 %	Rs. 13,934.28/-
5	Shafi Ullah	Minor	Son	19.44 %	Rs. 13,934.28/-
6	Mst Binan Bibi	Minor	Daughter	9.72 %	Rs. 6,967.14/-

FARMANULLAH  
Senior Civil Judge  
Orakzai at Baber Mela

24.7.2020

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The share of minors, on S.No.4, 5 and 6 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**  
24/07/2020

**FARMANULLAH**  
Senior Civil Judge  
Orakzai at Baber Mela  
**(Farman Ullah)**  
SCJ/Succession & Guardian Judge,  
Orakzai (Baber Mela)