

Or.....04


23.10.2025

Attorney for petitioners alongwith counsel present. Attorney for petitioner filed W/N in favor of Mr. Asad Ijaz advocate. Ex-parte evidence of petitioners recorded as PW-01 to PW-03 and closed. Ex-parte arguments also heard and record perused.

Through this order, this Court is going to dispose of an application submitted by the petitioners for provision of Succession Certificate.

Brief facts of the instant petition are that petitioners seek issuance of a Succession Certificate in their favour on the ground that they are the only legal heirs/successors of deceased Ali Akbar Jan S/O Lal Mohsin, R/O Qaum Mishti, Tappa Haider Khel Navi Mela, Tehsil Central, District Orakzai who died on 04.10.2024, copy of death certificate is placed on file. That the deceased has left no other legal heirs except the petitioners. That petitioners Gul Zinata (Widow), Lal Mohsin (Father) Muhammad Abid (son), Wajid Ullah (son) Muhammad Zahid (son) Muhammad Jamshid (son), Muhammad Amjid (son), Mst: Shamim Bibi (daughter) and Mst: Shaheen Bibi (daughter) are entitled to receive Rs. 238,979/- lying in Soneri Bank Limited at Main Branch Peshawar (Account No. 20006228586) left as legacy by the deceased as per their sharia shares. That petitioners are entitled to receive the Succession Certificate accordingly. Petitioner namely Muhammad Amjid mentioned at serial No.07 is the minor (legal heirs).

Notice was issued in the name of General Public in News Paper Daily "AWSAF", however, no one attended the Court from the general

  
Muhammad Junaid Alam  
Civil Judge / JM-II  
Orakzai at Kalaya

Attorney for petitioner appeared and recorded his statement as PW-01. He stated that petitioner No.1 is his cousin. Special attorney is Ex.PW-1/1. Husband of petitioner died on 04.10.2024. Death certificate of deceased is Ex.PW-1/2. Petitioner NO.1 have 05 sons and 02 daughters. FRC is Ex.PW-1/3. Copy of CNIC of petitioner No.1 is Ex.PW-1/4. Deceases Ali Akbar Jan left an amount of Rs. 238,797/- lying in Soneri Bank Limited. Copy of his CNIC is Ex.PW-1/5 while bank statement consists of 09 sheet is Ex.PW-1/6.

Lal Man Shah and Razman Shah appeared and deposed as PW-02. & PW-03 respectively. They stated that father of deceased is alive. Petitioner No.1 have 05 sons and 02 daughters. They lastly requested for issuance of succession certificate in their favour. Copies of their CNICs are Ex.PW-2/1 & Ex.PW-3/1.

Likewise, court bailiff was directed to verify the list of legal heirs of deceased Awal Hassan, who submitted his report wherein it was verified that the petitioners are the legal heirs of deceased named above.

In the absence of any rebutting evidence, petitioners are hereby declared as the legal heirs of the deceased named above. Succession Certificate be issued in favour of the petitioners on furnishing surety bonds/undertaking in the sum of Rs: 300,000/- (Three lac) with two local & reliable sureties each in the like amount to the satisfaction of this Court to the effect that if there appears any other legal heir of the deceased

except above named legal heirs, they would be responsible to the court, along with a blank stamp paper.

*Before closing, it is pertinent to mention that this certificate does not confer any title to the holder of the certificate and does not conclusively determine the shares in the securities/debts, rather this certificate is issued with the sole purpose to recover the securities/debts from the department concerned. Thus, any person(s), if aggrieved, may press his/their rights through a suit before a competent Forum and to recover the amount received on the basis of said certificate to the extent of his/their shares on the basis thereof. Similarly, this certificate does not place bar on the right of any aggrieved person to establish his/their title and entitlement in the dues of the deceased before a competent court of jurisdiction.*

*In case, if there is any minor (s) legal heir, then share of the minor (s) be kept intact and shall not be dispose of without prior permission of the Court.*

File be consigned to record room after its completion & compilation.

**Announced:**  
**23.10.2025**



**(Muhammad Junaid Alam)**  
Civil Judge-II/Succession Judge,  
Kalaya, Orakzai