

Or.....05
26.11.2025

Attorney for petitioner alongwith counsel appeared before the court and filed an application for early fixation of the case. Case file requisitioned for today.

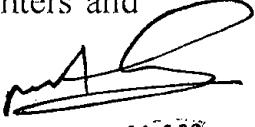
Ex-part evidence of petitioners recorded as PW-01 to PW-03 and closed. Ex-part arguments also heard and record perused.

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 Muhammad Azam who died on 29.10.2024, copy of death certificate is placed on file. Legal heirs-successors of deceased are Mst: Saddaf Bibi W/O Muhammad Azam, Nazish Bibi (daughter), Mahnoor Bibi and Mst: Rayat Jan (mother) R/O Qaum Mishti, Tappa Haider Khel, Kass Mama Khel Tehsil Central, District Orakzai. That the deceased has left no other legal heirs except the petitioners. That petitioners are entitled to receive the Succession Certificate accordingly.

Notice was issued in the name of General Public in News Paper Daily "AWSAF", however, no one attended the Court from the general public, hence, placed and proceeded ex-part. Accordingly, petitioners were given opportunity to produce ex-part evidence.

Muhammad Iqbal attorney for petitioner appeared and recorded his statement as PW-01. He stated that deceased Muhammad Azam is his brother who died on 29.10.2024. Deceased have two minors daughters and

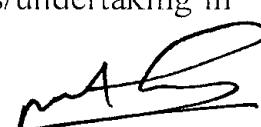

MUHAMMAD JUNAID ALAM
Civil Judge / JM-II
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requested to issue succession certificate in favour of widow of deceased. Furthermore, deceased has insurance/salary/bonus and other arrears in a foreign country in UAE, it means that the widow of the deceased is entitled to all the arrears. Death certificate of deceased issued from Dubai is Ex.PW-1/1, Passport is Ex.PW-1/2 and Visa for Dubai is Ex.PW-1/3. Family registration certificate of deceased is Ex.PW-1/4. Death certificate issued by Pakistan is Ex.PW-1/5. Special power of attorney is Ex.PW-1/6. Copy of his CNIC is Ex.PW-1/7. He lastly requested for issuance of Succession Certificate in favour of petitioners.

Muhammad Ayaz father and Abdul Qadar brother of Mst: Saddaf Bibi appeared and deposed as PW-02 & PW-03 respectively. They stated that husband of Mst: Saddaf Bibi has been died on 29.10.2024. Husband of petitioner No.1 died in Dubai. He was buried a few days later in Chaphar Mishti Tehsil, Central Orakzai. Furthermore, deceased has insurance/salary/bonus and other arrears in a foreign country in UAE, it means that the widow of the deceased is entitled to all the arrears. They lastly requested for issuance of succession certificate in favour of petitioners. Copies of their CNICs are Ex.PW-2/1 & Ex.PW-3/1 respectively.

Likewise, court bailiff was directed to verify the list of legal heirs of deceased Muhammad Azam, 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


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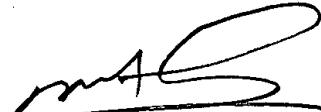
the sum of Rs: 200,000/- (Two lac) with two local & reliable sureties each in the like amount to the satisfaction of this Court to the effect that if there appears any other legal heir of the deceased except above named legal heirs, they would be responsible to the court, along with a blank stamp paper.

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:
26.11.2025



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