

IN THE COURT OF IJAZ MAHSOOD
Senior Civil Judge/ Succession Judge, Orakzai at Baber Mela

Petition No.07/5 of 2025

Date of institution..... 17.12.2025

Date of decision30.01.2026

Order No. 06

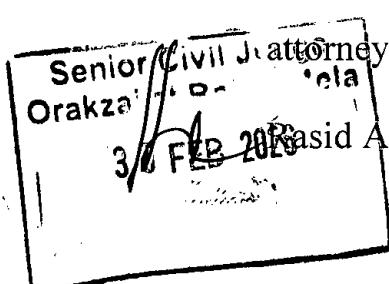
30.01.2026

Counsel for petitioners present. Arguments already heard and record gone through.

Petitioner No. (1) Mst. Said Mina (Widow), (2) Mst. Niaza Bibi (Widow), (3) Hikmat Ali (Son), (4) Shokat Ali (Son), (5) Tasawer Hussain (Son) , (6) Mst. Zulqida Jan (Daughter), (7) Mst. Mastamina (Daughter), (8) Mst. Niaz Mina (Daughter), (9) Mst. Saima Naz (Daughter), (10) Mst. Saweera (Daughter); (11) Mst. Tawasal Zahra (Daughter) and (12) Mst. Munazma Batool (Daughter) have filed the instant petition for grant of succession certificate in their favour on the ground that they are the only legal heirs successors of deceased Shamat Khan.

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

During course of recording evidence, Rehmat Khan (Special



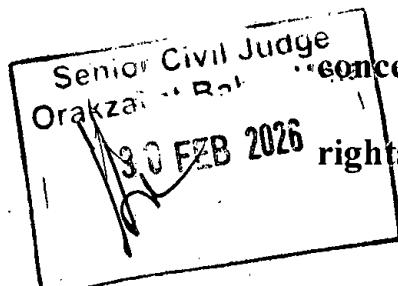
Senior Civil Judge (Rasid Ali) recorded his statement as PW-01, Inar Ali as PW-02 and Rasid Ali as PW-03 testified respectively. PW-1 submitted his power

of attorney as Ex.PW-1/1, copy of his CNIC as Ex.PW-1/2, copy of death certificate as Ex.PW-1/3, FRC as Ex.PW-1/4, decline certificate as Ex.PW-1/5, Child registration certificate as Ex.PW-1/6 and bank account statement as Ex.PW-1/7. Contents of the petition were reproduced and verified by the witnesses.

The available record on file *prima facie* establishes that petitioners are the legal heirs of deceased Shamat Khan as there is nothing in rebuttal. Hence, petitioners will inherit the legacy of deceased as per shari shares.

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: 50,000/- (Fifty thousand) 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.

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



Order No. 06

Continued

30.01.2026

Mst. Said Mina etc vs Public at large.

(3)

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 the record room after its necessary completion and compilation.

Announced

30.01.2026


(Ijaz Mahsood)
SCJ/ Succession Judge,
Orakzai at Baber Mela

