IN THE COURT OF IJAZ MAHSOOD

Senior Civil Judge/ Succession Judge, Orakzai at Baber Mela

Petition No. .....8/5 of 2025

Date of institution..... 18.12.2025

Date of decision 30.01.2026

Order No. 06
30.01.2026

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

Petitioner No. (1) Mst. Rabia Zubair (widow), (2) Mst. Afsha Abuzar (Daughter), (3) Orhan Abuzar (son), (4) Muhammad Amin (father) and Mst. Bait Ullah Bibi (mother) 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 Abu Zar Ghafari.

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, Mustafa Amin (special attorney) recorded his statement as PW-01, Muhammad Suleman as PW-02 and Naqeeb Ullah as PW-03 testified respectively. PW-01 submitted his power of attorney as Ex.PW-1/1, copy of his CNIC as Ex.PW-1/2, copy of CNIC of petitioner NO. 1 as Ex.PW1/3, FRC as Ex.PW-1/4, copy of death certificate of deceased as Ex.PW-1/5,

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copy of passport as Ex.PW-1/6 (consists of 04 pages), copy of CNIC of deceased 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 Abu Zar Ghafari 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: 500,000/- (five lacs) 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 the amount received on the basis of said certificate to the extent of his/their shares on the basis thereof. Similarly, this certificate

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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