

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

Petition No.7/5 of 2026

Date of institution..... 13.07.2026.

Date of decision18.07.2026

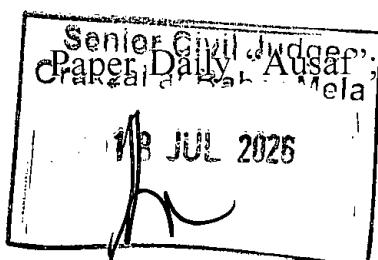
Order No. 03

18.07.2026

Petitioners through counsel present. Respondents absent despite service through publication in daily newspaper "Ausaf", hence, placed and proceeded against ex-parte. Counsel for the petitioners submitted an application seeking impleadment of **Ms. Payo Jan Bibi** as petitioner No. 8 on the ground that she is the real mother of the deceased and her name was inadvertently not mentioned in the petition. The application is allowed. Accordingly, **Ms. Payo Jan Bibi** is impleaded as petitioner No. 8 in the instant petition. Ex-parte evidence recorded and closed. Arguments heard.

Petitioner No. 1. Mst. Bibi Ghuncha (widow), 2. Noor Ghani (son), 3. Asadullah (son), 4. Shahidullah (son), 5. Shazma Bibi (daughter), 6. Umar Khela (2nd widow), 7. Gul Ghani (son), 8. Payo Jan (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 Ismail.

Notice was issued in the name of General Public in News



however, no one attended the Court from the

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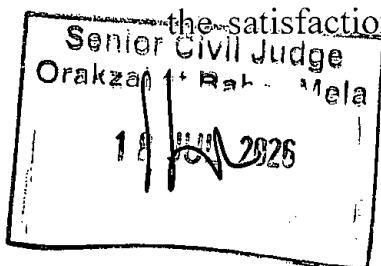
general public, hence, placed and proceeded ex-parte. Accordingly, petitioners were given opportunity to produce ex-parte evidence.

During course of recording evidence, Noor Ghani recorded his statement as PW-01, Gul Ghani recorded as PW-2 and Ali Badshah 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, Death registration certificate of deceased as Ex.PW-1/3, FRC as Ex.PW-1/4, death certificate of father of Ismail as Ex.PW-1/5, OPF amount statement as Ex.PW-1/6, CNIC of deceased as Ex.PW-1/7, CNIC of bibi Ghuncha as Ex.PW-1/8, CNIC of umar Khela as Ex.PW-1/9. PW-2 exhibited his CNIC as Ex.PW-2/1 and PW-3 exhibited his CNIC as Ex.PW-3/1. 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 Ismail 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: 1,600,000/- (16 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



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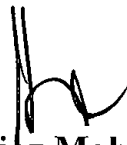
other legal heir of the deceased except above named legal heirs, they would be responsible to the court.

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 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
18.07.2026


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