

Or.....06
20.08.2026

Petitioner alongwith counsel present. Ex-parte evidence of petitioner already recorded. Counsel for petitioner filed death certificate of Seen Asghar, which is placed on file. Ex-parte arguments also already 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 Seen Asghar S/O Amin Asghar, R/O Qaum Mishti, Tappa Haider Khel, Tehsil Central, District Orakzai who died on 20.03.2026, copy of death certificate is placed on file. That the deceased has left no other legal heirs except the petitioners. That petitioners Mst: Bibi Zara (Widow) and Sabir Ullah are entitled to receive Rs. 29848/- lying in Bank Al Habib Kalaya Branch vide account No. 2061-0117-000942-01-0 left as legacy by the deceased as per their sharia shares. That petitioners are entitled to receive the Succession Certificate accordingly. That they approached NADRA for grant of Succession Certificate but it was declined for the reason that petitioner namely Sabir Ullah is minors (legal heir), therefore, there is a factual controversy and they are issued decline 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

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

Petitioner Mst: Bibi Zara herself appeared and deposed as PW-01. She stated that her husband died on 20.03.2026. Copy of death certificate is Ex.PW-1/1. FRC is Ex.PW-1/2. Husband of petitioner left Rs. 29848/- in Bank Al Habib. Bank statement is Ex.PW-1/3. Decline certificate is Ex.PW-1/4. Copy of her CNIC is Ex.PW-1/5. She lastly requested for issuance of Succession Certificate in her favour.

Muhammad Umar and Zimat Khan appeared and deposed as PW-02 & PW-03 respectively. They stated that husband of petitioner died on 20.03.2026. Petitioner has one minor children. Husband of petitioner left amount of Rs. 29848/- in Al Habib Bank Kalaya Branch. Photocopy 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 Seen Asghar, 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: 100,000/- (One 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.

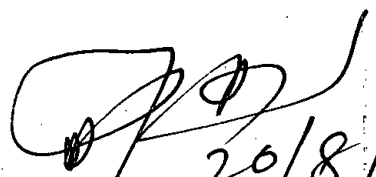
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Before closing, it is pertinent to mention that this certificate does not confer any title to the holder of the certificate and does not conclusively determine the shares in the securities/debts, rather this certificate is issued with the sole purpose 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:
20.08.2026


(Noor Ul Haq)
20/8/26
Civil Judge-II/Succession Judge,
Kalaya, Orakzai