Order 06
14.10.2026

Petitioner No.03 alongwith counsel present. Publication received but no one present on behalf of public at large, hence placed and proceeded ex-parte. Ex-parte evidence of petitioner recorded as PW-01 to PW-03 & closed. Ex-parte arguments 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 Succession Certificate in their favour on the ground that they are the legal heirs/successors of deceased Ashor Khan S/O Noor Mat Khan, R/O Qaum Feroz Khel, Tappa Qimat Khel, Tehsil Lower, District Orakzai who died on 01.10.2025, copy of death certificate is placed on file. That the deceased has left no other legal heirs except the present petitioners namely Rosta Mina (Widow), Noor Mat Khan (father), Tomat Nisa (mother), Waqas Khan (son), Sapna Bibi (daughter), Afia Bibi (daughter), Shabina Bibi (daughter) and Nahid Bibi (daughter). That the deceased has left an amount of Rs. 122,176/- in National Bank of Pakistan for encashment of the said amount, Succession Certificate is required to the petitioners.

Notice was issued in the name of General Public in Newspaper "AAJ"; however, no one attended the Court from the

general public, hence, placed and proceeded ex-parte. Accordingly, petitioners were given opportunity to produce their ex-parte evidence. Consequently, they produced 03 witnesses.

Yasir Khan brother of petitioner No.1 appeared and recorded his statement as PW-01. Copy of his CNIC is Ex.PW-1/1. He stated that husband of his sister was died on 01.10.2025 at Hayat Abad Medical Complex, Peshawar. Copy of death certificate is Ex.PW-1/2. Bank statement is Ex.PW-1/3. FRC Ex.PW-1/4, 1/5. List of legal heirs received from NADRA is Ex.PW-1/6. He lastly requested to issuance of succession certificate in favour of petitioners.

Kamran Khan and Noor Mat Khan appeared and deposed as PW-02 & PW-03 respectively. They stated that husband of petitioner No.1 died on 01.10.2025. Photocopies of their CNICs are Ex. PW-2/1 & Ex. PW-3/1 respectively.

From the statements of PWs, it is clear that there are no other legal heirs of the deceased except the present petitioners.

14/10/26.

Likewise, Court bailiff was directed to verify the list of legal heirs of deceased Ashor Khan, who submitted his report wherein it was verified that petitioners are the legal heirs of the deceased.

In the absence of any rebutting evidence, petition in hand is accepted and the petitioners are hereby declared as the legal heirs of the deceased named above. It is also admitted fact that after the death of a person, legally his legal heirs are entitled for the issuance

of Succession Certificate for the purpose subject to any special rules with regard to receiving of the amount along with any other benefits to which the family of the deceased are entitled. Hence, the legal heirs of the deceased Ashor Khan are hereby declared entitled to receive the amount in question as per rules and regulations from the bank/center concerned. Succession Certificate be issued in favour of the petitioners on furnishing surety bonds/undertaking in the sum of Rs: 100,000/- with two local & reliable sureties each in the like amount to the satisfaction of this Court along with a blank stamp paper 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 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. Furthermore, this certificate imposes a duty on the

holder to distribute the securities/debts realized under this certificate amongst the persons entitled in accordance with their respective rights.

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:
14.10.2026

14/10/26.

Noor Ul Haq
Civil Judge/Succession Judge-II,
Kalaya, Orakzai