ORDER SHEET

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

Succession Appeal No. S- 08 of 2026

(Mir Azhar Ali Channa Vs Manager National Savings Centre Rohri Branch & others)

Date of hearing	Order with signature of Judge

1. For Orders on office objection.
2. For Orders on CMA No. 1124/2026 (Ex./A)
3. For hearing of main case.
4. For Orders on CMA No. 1125/2026 (Stay)

13-10-2026

Mr. Avinash alias Ram Parkash, Advocate for the applicant.

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Suresh Kumar,J. Through instant Succession Appeal under section 384 of the Succession Act, 1925, the appellant seeks exemption from furnishing surety for grant of Succession certificate and seeking an order in respect of the same subject to furnishing P.R bond of the appellant.

2. I have heard learned counsel for the parties and perused the material available on record.

3. Learned counsel for the appellant submits that this in non-contentious matter; therefore succession certificate may be granted subject to furnish P.R bond. In this regard he placed his reliance on the cases of Mst. Razia Khatoon (1996 MLD 873) and Kamran Mirza Versus Moazzam Mirza (PLD 2014 Sindh 500).

4. Mr. Mukhtiar Hussain Khokhar advocate files power on behalf of the respondent No.5, which is taken on record and raised no objection for grant of Succession Certificate subject to furnishing P.R bond.

5. Having given due consideration to the arguments advanced by counsel for parties and perused impugned order. From the perusal of

impugned order it reveals that Succession Certificate was allowed subject to furnishing solvent surety in the sum of Rs. 55 lacs along with P.R bond in the like amount. Record further reveals that present matter is non-contentious and succession certificate was granted with the consent of all the next of kin and emerging as a non-contentious matter. In the similar circumstances this Court in the case of Mst. Razia Khatoon (1996 MLD 873) has held as under:-

> *---S.375---Sindh Chief Court Rules (O.S), R.400---Succession certificate – Non contentious matter---Formalities---Grant of succession certificate having following upon consent of all the next of kin and emerging as a non-contentious matter, Nazir of the Court was directed to formalize issuance of same to petition in terms exclusively upon execution of a personal bond by petition and no sureties as a condition precedent need to insisted upon.*

6. Similar view has been taken by this Court in case of Kamran Mirza Vs. Moazaam Mirza (PLD 2014 Sindh 500) wherein it has been held as under:-

> *Ss. 278 & 372---Sindh Chief Court Rules (O.S.), R.400---Succession certificate/Letter of Administration, issuance of---Non contentious matter---Exemption from furnishing surety---Grant of Succession certificate/Letter of Administration on personal bond---In non-contentious matters sureties need not be insisted by the court---Petition filed by applicant for issuance of Succession certificate/Letter of Administration had been granted and directions were given by the court to issue the same---During proceedings of the petition and even after publication (inviting objections) in a daily newspaper, no objection had ever been filed by anyone---High Court directed that in such circumstances Succession certificate/Letter of Administration should be issued to the applicant without insisting upon filing of sureties, however applicant should execute personal bond equal to the amount involved in the matter---Application was disposed of accordingly.*

7. In view of above facts and circumstances and guidelines taken from the above cited case law, instant Succession Appeal is allowed, consequently the impugned order is modified and succession certificate is granted subject to furnishing solvent surety of Rs. 500,000/- (five lacs) and P.R bond in the like amount. The remaining order is intact and Nazir of the Court shall comply the directions issued in the impugned order.

8. In view of above terms, the instant appeal is disposed of.

J U D G E

Nasim/P.A