

ORDER SHEET

HIGH COURT OF SINDH AT KARACHI

SMA No.119 of 2015

Date order with signature of Judge

For Hearing of main petition
(Diary of Dy. Reg. (O.S) dated 01.10.2015 are flagged)
Affidavit of independent person filed by the petitioners as flagged.

13.11.2015
Syed Akhtar Abbas, Advocate along with Sub-Attorney Muhammad Naeem Memon and witness, namely Muhammad Rizwan.
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The petitioner Sahibzada Aamir Akhtar is son of deceased, namely, Humayun Akhtar Butt who expired on 02.05.2003 at Los Angles, who has filed the instant SMA praying for issuance of letter of Administration in respect of immovable property left behind by the said deceased as mentioned in the schedule of property to the petition. The names of the legal heirs left behind by the deceased are as under:

<u>Sr. No.</u>	<u>Name</u>	<u>Relationship</u>	<u>Age/Date of birth</u>
1.	Mst. Alvira Akhtar	Widow	30.01.1941
2.	Sahibzada Aamir Akhtar	Son	21.05.1960

Publication of main petition has been effected in Daily Express, Karachi dated 26.08.2015, but none appeared from any quarter to raise objection. There is only one legal heir of the deceased except the petitioner who has executed general power of attorney in favour of the petitioner which is attested by Consulate General of Pakistan Los Angles. As per the order dated 12.08.2015 passed by this Court, personal appearance of the petitioner, namely, Sahibzada Aamir Akhtar son of Humayun Akhar and the witnesses, namely, Muhammad Faisal son of Abdul Habib was exempted. Today other witness, namely, Muhammad Ramzan appeared who supported the version of the petitioner by filing his affidavit.

Since the independent witnesses have also confirmed that there are no other legal heirs of the deceased except those mentioned above and

none appeared from any quarter to raise any objection despite publication of notice, there is no impediment in grant of this SMA. Accordingly, the same is granted and the office is directed to issue Letter of Administration and Succession Certificate in favour of the petitioner, subject to rules.

JUDGE

Gulzar/PA