

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI

SMA No. 369 OF 2017

Date	Order with signature of Judge
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For hearing of main petition.

(D.R (O.S) Dairy dated 08.02.2018 flag 'A')

13. 02.2018

Mr. Kaleem-ul-Hassan Siddiqui, Advocate for the
Petitioner.

Per the dairy dated 08.02.2018 of Deputy Registrar (OS), all requisites for hearing of the petition stand fulfilled and no objection to the petition has been received from any quarter. I therefore proceed to decide the petition.

The Petitioner, being son of the deceased Altaf Ahmed, prays for a Letter of Administration in respect of the immovable property of the deceased, being Plot No.A-461, measuring 240 square yards, Block -3, KDA Scheme No.24, Gulshan-e-Iqbal, Karachi, (copy of the lease is at page 29). Per the petition, the deceased died intestate at Karachi on 26.11.1996; that his parents had pre-deceased him; that his widow (Haseena Bano) died on 20.07.2012; that one of his son namely Javed Ahmed Qureshi, also passed away on 23.04.2017 leaving behind only a widow namely Mst. Qamar-un-Nisa Qureshi; and that the surviving legal heirs of the deceased (Altaf Ahmed) are as follows:

Sr.	Name of Legal Heir	Relationship	Age
1	Farhat Akhtar Osman	Daughter	Major
2	Nighat Aman	Daughter	Major
3	Aziz Ahmed (Petitioner)	Son	Major
4	Qamar-un-Nisa Qureshi	Widow of deceased son	Major

On the Court's query, the petitioner and his counsel state that the estate of the deceased is to be administered as per Sunni Muslim Personal Law.

The death certificate (in original) of the deceased Altaf Hussain is at page No.13; that of his widow (Haseena Bano) is at page 15 (photocopy); and that of his deceased son (Javed Ahmed Qureshi) is at page 17 (photocopy). The Family Registration Certificate issued by NADRA connecting the aforesaid legal heirs to the deceased are at pages 19 and 21.

The legal heirs at serial 1 & 2 of the table above have filed affidavits of no-objection to the grant of the petition. On behalf of the legal heir at serial 4 of the table above i.e. widow of the deceased son (Qamar-un-Nisa widow of Javed Ahmed Qureshi) the affidavit of no-objection is signed by her brother and Attorney, Mr. Tahir Waseem Abbasi (Power of Attorney at page 61). Apart from the petitioner's affidavit, the petition is also supported by affidavits of third parties namely Mr. Khalid Obaidullah and Muhammad Nadeem Khan. The legal heirs at serial No.2 & 3 of the table above and the aforesaid third parties are present in court today, so also the Attorney of the legal heir at serial No. 4 of the table above. Though the legal heirs at serial No.1 of the table above is not present in Court today being abroad, she had appeared before the Identity Branch of this court at the time of her giving her affidavit of no-objection and a Power of Attorney executed by her in favour of the petitioner is also on record.

In view of the aforesaid, this petition for Letters of Administration in favour of Aziz Ahmed son of Altaf Ahmed in respect of Plot No.A-461, measuring 240 square yards, Block-3, KDA Scheme No.24, Gulshan-e-Iqbal, Karachi, is granted as per Rules.

JUDGE