

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
SMA No.83 of 2019

Date	Order with signature of Judge
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BEFORE:
Mr. Justice Arshad Hussain Khan.

Sajjad Zafar Cheema Petitioner

Chaudhry Zafarullah Cheema Deceased.

24.04.2019

Mr. Arshad Lodhi, advocate for the petitioner

ARSHAD HUSSAIN KHAN, J.- The petitioner through the instant SMA seeks grant of letter of administration and succession certificate in respect of immovable & movable properties left by deceased Chaudhry Zafarullah Cheema son of Chaudhry Ghulam Qadir who died on 17.11.2016 at Karachi leaving behind the following legal heirs:-

1.	Mst. Parveen Zafar	Widow
2.	Waqas Zafar	Son
3.	Sajjad Zafar (Petitioner)	Son

2. In the present petition, the surviving legal heir No.3 above is son and the petitioner as well. The legal heirs No.1 & 2, widow and son of the deceased, have filed their respective affidavits of No Objection to grant of present petition in favour of petitioner.

3. The affidavit of independent witnesses namely; (1) Saad Masood Khan Khan son of Masood Jabbar Khan and (2) Muhammad Ali Alvi son of Mushtaque Ahmed are available on record. Learned counsel submits that since second witness Muhammad Ali Alvi is unable to appear in the Court due to his job's training, therefore, he files affidavit of another independent witness namely Muhammad Noushad son of Noor-ul-Haq as second

witness which is taken on record. The affidavits independent witnesses support the contents of the petition.

4. A report of Deputy Registrar (O.S) is also available on record with regard to the proceedings before him.

5. The legal heirs and the independent witnesses present in Court have admitted and acknowledged the contents of their respective affidavits of No Objection in favour of the petitioner.

6. The deceased at the time of his death left behind immovable and movable properties, details whereof are mentioned in the Schedule of Properties annexed with this petition. Record also shows that the publication of the main petition has been affected in "Daily Jang Karachi dated 11.04.2019 but none has appeared and filed any objection in this regard. Hence, the matter emerged as non-contentious one, therefore, in my opinion there is no legal impediment to grant the present SMA. Accordingly, this SMA is allowed as per Rules.

SMA No.83 of 2019 is allowed in above terms.

JUDGE