

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
SMA No.97 of 2019

Date	Order with signature of Judge
------	-------------------------------

BEFORE:
Mr. Justice Arshad Hussain Khan.

Muhammad Saqib Saeed Petitioner

Muhammad Saeeduddin (late) Deceased.

18.04.2019

Mr. Abdul Hakeem Rajput, advocate for the petitioner
alongwith all legal heirs.

ARSHAD HUSSAIN KHAN, J.- The petitioner through the instant SMA seeks grant of letter of administration and succession certificate in respect of immoveable & movable properties left by deceased Muhammad Saeeduddin s/o Muhammad Qamaruddin who died on 26.01.2019 at Karachi. The deceased died intestate and at the time of his death left behind the following legal heirs:-

1.	Mst. Qadsia Begum	Widow
2.	Mst. Sofia Yasmen	Daughter
3.	Muhammad Ziauddin	Son
4.	Muhammad Saifuddin	Son
5.	Muhammad Rehan	Son
6.	Mst. Sadia Alam	Daughter
7.	Asif Saeed	Son
8.	Muhammad Saqib Saeed (Petitioner)	Son

2. In the present petition, the surviving legal heir No.8 above is son and the petitioner as well. The legal heirs No.1 to 7, widow, daughters and sons of the deceased, have filed their respective affidavits of No Objection to grant of present petition in favour of petitioner.

3. The affidavits of two independent witnesses namely; (1) Arshad Pervaiz s/o Nasiruddin Siddiqui and (2) Naeemuddin s/o Muhammad Hafiz are also available on record, which support the contents of the petition.

4. 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.

5. The deceased at the time of his death left behind immovable and movable properties, details whereof are mentioned in the Schedule of Properties (at Page 23). Record also shows that the publication of the main petition has been affected in "Daily Jang Karachi dated 09.03.2019 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 Rule. However, since this matter is non-contentious one, therefore, the petitioner would be at liberty to deposit the original title documents of the immovable property of the subject proceedings with the Nazir of this Court as surety as well as execute personal bond in the like amount for issuance of letter of administration. Whereas, succession certificate be issued upon execution of P.R. Bond in the like amount to the satisfaction of Nazir of this Court.

SMA No.97 of 2019 is allowed in above terms.

JUDGE