

ORDER SHEET  
IN THE HIGH COURT OF SINDH, KARACHI  
SMA No.40 of 2020

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

**BEFORE:**  
**Mr. Justice Arshad Hussain Khan.**

Rahim Buksh ..... Petitioner

Jahangeer Baluch ..... Deceased

16.09.2020

Mr. Javed Sattar, advocate for the petitioner  
-----

**ARSHAD HUSSAIN KHAN, J.-** The petitioner through instant SMA seeks grant of letter of administration in respect of the properties left by deceased Jahangeer Baluch son of Mazar son of Mazar Baluch (late), who died intestate on 10.05.1978 at Karachi. Whereas, his widow Mst.Amna prior to his death died on 01.01.1977 at Karachi.

The deceased at the time of his death had left only son namely Imam Buksh, who subsequently passed away on 20.12.1997 at Karachi and thereafter his widow namely; Rabia also passed on 03.02.2004.

Since Imam Buksh was only legal heir of deceased Jahangeer Baluch, therefore, after the death of said Imam Bux his legal heirs have become the legal heirs of deceased Jahangeer Baluch in the matter whose details are given as under:-

	Imam Buksh since deceased through legal heirs;-	Son
1.	Mst. Ayesha Bibi	Granddaughter of deceased
2.	Rahim Buksh	Grandson of deceased
3.	Mst. Sabra	Granddaughter of deceased
4.	Iqbal Buksh	Grandson of deceased

2. In the present petition, the surviving legal heir No.2 above is grandson of deceased and petitioner as well. Whereas legal heirs 1, 3 & 4

have filed their respective affidavits of No Objection to the grant of present petition.

3. The affidavits of two independent witnesses namely; (1) Shakir Ali son of Muhammad Ali and (2) Nasir Ali son of Muhammad Ali are also available on the 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 sworn in support of the present petition.

5. The deceased at the time of his death left behind property, detail whereof is mentioned in the Schedule of Property (at Page 29). Record also shows that the publication of the main petition has been affected in "Daily Jang Karachi dated 12.03.2020 but none has appeared and filed any objection. In this regard report dated 27.08.2020 of Deputy Registrar (O.S) is also available on the record.

In the circumstances, the matter has 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 the Rule.

JUDGE

MUSHARRAF ALI P.A

