

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
S.M.A. No. 20 of 2019

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

21.02.2019

Mr. Asjad Sattar, advocate for petitioner.

Through the instant petition, Petitioner Abdul Qadir has prayed for the grant of Letter of Administration in respect of immovable property/asset, details whereof are mentioned in the Schedule of Property attached with the memo of petition, available at page 17, which was left by his deceased mother, namely, Mst. Maryam wife of Muhammad Salim, who allegedly died on 07.06.2018 at Karachi, leaving behind (1) Muhammad Salim (husband), (2) Muhammad Ayub (son), (3) Nasreen Bano (daughter), (4) Abdul Qadir (son/petitioner), (5) Muhammad Hafeez (son), (6) Shahnaz Bano (daughter), (7) Farzana Bano (daughter) and (8) Muhammad Ahmed (son) as her legal heirs. Original Death Certificate of deceased as well as photostat copies of Family Registration Certificate, issued by the NADRA and title documents of the immovable property are also filed at page 11 to 15 and 25 to 41.

Legal heirs No. 2, 3 and 5 to 8 have filed their affidavits of no objection for the grant of Letter of Administration in favour of the petitioner, while legal hair No. 1 sworn his affidavit for such purpose before Assistant Registrar-V, Affidavit and Identity Branch of this Court on 7th January, 2019; however, thereafter due to old age and sickness he executed Special Power of Attorney in favour

of the petitioner, duly attested by the Notary Public at Karachi, which has been filed today in the Court, which is taken on record.

Two witnesses, namely, Muhammad Asif s/o. Abdul Qudoos and Imran Qasim Katyia s/o. Qasim Katyia have also filed their respective affidavits and affirmed that there is no other legal heir of the deceased except mentioned above. Their affidavits are also available on record.

Notice of this petition was published in Daily "Jang" Karachi dated 20.01.2019; however, none has filed any objection to the grant of Letter of Administration to petitioner, as per the report submitted by the Deputy Registrar (OS) on 07.02.2019.

Today petitioner as well legal heirs No. 2, 3 & 5 to 8 and above named witnesses are present. They affirm the contents of memo of petition and their affidavits and also verify their signatures thereon.

Since all the legal formalities/requirements have been fulfilled, there is no impediment in grant of Letter of Administration to petitioner, therefore, the petition is allowed. The office is directed to issue Letter of Administration in respect of immovable property/asset shown in the Schedule of Property, as per rules.

J U D G E

Athar Zai