

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
S.M.A. No. 28 of 2020

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

31.05.2021

Mr. Syed Tanveer Hussain, Advocate for petitioner.

Through the instant petition, petitioner Muhammad Asif Hashmi has prayed for the grant of Letter of Administration in respect of immoveable properties/assets, details whereof are mentioned in the Schedule of Properties attached with the memo of petition, available at page 31, which were left by his deceased father, namely, Abdul Ghafoor Hashmi, who allegedly died on 21st July, 2018 at Karachi, leaving behind him seven legal heirs, namely, (1) Mst. Anwar Akhter Hashmi (widow), (2) Mst. Syed Azra Feroz (daughter), (3) Muhammad Atif Hashmi (son), (4) Mst. Munazah Salah-ud-din (daughter), (5) Mst. Samina Hashmi (daughter), (6) Mst. Surriya Rehan (daughter) and (7) Muhammad Asif Hashmi (son/petitioner). During lifetime of the deceased, his son, namely, Muhammad Nadeem Hashmi died on 2nd February, 2012, whose legal heirs, namely, (i) Mst. Sammar (widow) (ii) Syed Abdul Rehman Hashmi (son) and (iii) Syed Muhammad Hummam Hashmi (son) have also been joined in this matter as legal heirs No. 8(i) to (iii), out of whom legal heir No. 8(iii) is minor, who is being represented by legal heir No. 8(i), who being his real mother has been appointed as his Guardian-ad-Litem. Original Death Certificates of deceased Abdul Ghafoor Hashmi and Muhammad Nadeem Hashmi, issued by the Secretary Union Council No. 53, Chak No. 342 G.B and Secretary Union Council, Gulshan-e-Iqbal No. 1(5), District East-Karachi, respectively, as well as photostat copies of Family Registration Certificates and B-Form, issued by the NADRA and title documents of the immovable properties are also filed at page 19 to 29 and 41 to 137.

Legal heirs No. 1 to 6, 8(i) and 8(ii) have filed their Affidavits of No-Objection for the grant of Letter of Administration in favour of the petitioner/legal heir No.7, which are available on record.

Two witnesses, namely, Syed Feroz Alam and Salah-ud-din 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 4th February, 2020; 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 5th April, 2020.

On 11th January, 2021 legal heirs No. 1 to 6, 8(i) and 8(ii) as well as above named witnesses made their appearance before this Court, while petitioner has appeared today before this Court.

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 properties/assets shown in the Schedule of Properties, as per rules.

J U D G E

Athar Zai