

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
S.M.A. No. 34 of 2018

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

29.10.2018

Mr. Kashif Nazeer, advocate for petitioner.

Through the instant petition, Petitioner Khalil Ahmed has prayed for the grant of Succession Certificate in respect of moveable properties/assets, details whereof are mentioned in the Schedule of Properties attached with the memo of petition, available at page 23, which were left by his deceased brother, namely, Shifa-ur-Rehman, who allegedly died on 03.01.2016 at Karachi, leaving behind (i) Ahsan-u-Rehman (brother), (ii) Mst. Bilqees Begum (Sister), (iii) Sheikh Iqbal Ahmed (brother), (iv) Mst. Sadiqa Rehman (Sister) (v) Masood Ahmed (brother), (vi) Khalil Ahmed (brother/petitioner) and (vii) Pervaiz Ahmed (brother) as his legal heirs. Original Death Certificate of deceased as well as photostat copies of dividend warrant of share are also filed at page 29 to 33.

Legal heirs No. (ii), (iii), (v) and (vii) have filed their affidavits of no objection for the grant of Succession Certificate in favour of the petitioner, while legal heirs No. (i) and (iv) have also executed Special Power of Attorney, duly attested by the Notary Public at Karachi in favour of the petitioner.

Two witnesses, namely, Alam Nawaz s/o. Ali Asghar and Jamroz Khan s/o. Shahiz Ali 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 06.09.2018; however, none has filed any objection to the grant of Succession Certificate to petitioner, as per the report submitted by the Deputy Registrar (OS) on 27.09.2018.

Today legal heirs No. (ii), (iii), (v) and (vii) and witnesses are present. They affirm the contents of their affidavits and also verify their signatures thereon.

Since all the legal formalities/requirements have been fulfilled, there is no impediment in grant of Succession Certificate to petitioner, therefore, the petition is allowed. The office is directed to issue Succession Certificate in respect of movable properties/assets shown in the Schedule of Properties, as per rules.

J U D G E

Athar Zai