

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
S.M.A. No. 64 of 2020

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

05.08.2020

Mr. Rajesh Kumar Khagaija, advocate for petitioner.

Through the instant petition, petitioner Mrs. Seema Shah has prayed for the grant of Succession Certificate and Letter of Administration in respect of moveable and immovable properties/assets, details whereof are mentioned in the Schedule of Properties attached with the memo of petition, available at page 23 & 25, which were left by her deceased mother, namely, Mst. Sakina Shah widow of Syed Sajjad Ali Shah, who allegedly died on 16.05.2018 at Karachi, leaving behind (1) Mrs. Seema Shah ((daughter/petitioner), (2) Mrs. Sadia Shahzad Shah (daughter) and (3) Muhammad Ali Sajjad Shah as her legal heirs. Original Death Certificate of deceased as well as photostat copies of Family Registration Certificate, issued by the NADRA, title documents of the immovable property and bank statement are also filed at page 11, 15, 31 and 33 to 67.

Legal heir No. 3 has filed his Affidavit of No-Objection for the grant of Succession Certificate and Letter of Administration in favour of the petitioner, while legal heir No. 2 has executed General Power of Attorney in favour of her Attorney, namely, Raza Ali Shah duly attested by the Deputy Consul General in the Consulate General of Pakistan at Chicago, USA, who has also filed Affidavit of No-Objection in favour of the petitioner for such purpose.

Two witnesses, namely, Syed Umair Ali Shah s/o. Syed Nawaz Ali Shah and Sandeep Kumar s/o. Raman Das 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 12.02.2020; however, none has filed any objection to the grant of Succession Certificate and Letter of Administration to petitioner, as per the report submitted by the Deputy Registrar (OS) on 05.03.2020.

Today petitioner, legal heir No. 3 and Attorney of legal heir No. 2 as well as above named witnesses are present. They affirm the contents of memo of petition as well as their affidavits and also verify their signatures made thereon.

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

J U D G E

Athar Zai