

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
S.M.A. No. 88 of 2020

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

For hearing of main petition.

07.10.2020

Mr. Naveed-ul-Haq, advocate for petitioner.

Learned counsel for the plaintiff files affidavits of third party witnesses, namely Syed Sabir Hussain s/o. Syed Shamim Akhtar and Muhammad Ayaz Khan s/o. Muhammad Saleem Khan, which are taken on record. The witnesses are also present in Court, who affirm the contents of their affidavits and admit their signatures made thereon and state that there is no other legal heir of the deceased except mentioned in their respective affidavits.

Through the instant petition, petitioner Ghulam Mohiuddin Sheikh has prayed for the grant of Succession Certificate and Letter of Administration in respect of moveable and immoveable properties/assets, details whereof are mentioned in the Schedule of Properties attached with the memo of petition, available at page 23 to 27, which were left by his deceased father, namely, Ghayasuddin Sheikh s/o. Khuda Bux, who allegedly died on 9th July, 2018 at Karachi, leaving behind (1) Sara Khatoon (widow), (2) Azra Begum (daughter), (3) Saleem-ud-din (son), (4) Kaneez Ayesha (daughter), (5) Muhammad Imran-ud-din Sheikh (son), (6) Asma Nasir (daughter), (7) Kaneez Amna (daughter), (8) Erum Hasan (daughter), (9) Inam Sheikh (son), (10) Altaf-ur-Rehman (son), (11) Ahsan Sheikh (son) and (12) Ghulam Mohiuddin Sheikh (son/petitioner) as his 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 properties, bank statements, Defence Saving Certificate, dividend warrant of share and documents of vehicle are also filed at page 15 to 21 and 39 to 49.

Legal heirs No. 1 to 11 have filed their Affidavits of No-Objection for the grant of Succession Certificate and Letter of Administration in favour of the petitioner.

Notice of this petition was published in Daily “Jang” Karachi dated 21st February, 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 12th March, 2020.

On 30th September, 2020 petitioner and all the other legal heirs appeared before this Court and affirmed the contents of memo of petition as well as their affidavits and also verified 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