

ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI  
S.M.A. No. 91 of 2020

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Date	Order with signature of Judge
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1. For order on Nazir's report dated 05.10.2020.
2. For hearing of main petition.

05.03.2021

Ms. Abida Hashmi, advocate for petitioner.  
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1. Nazir's report is taken on record.
2. By this petition, the petitioner, namely, Shanaya Kashif, who is a minor baby through her aunty/legal heir No.3, namely, Mst. Sarwat Rana, who has been appointed as "legal guardian of person" of the petitioner, vide Certificate of Guardianship under section 7 of the Guardian and Wards Act, 1890, issued by the learned Family Judge, Karachi-South in Guardian & Ward Case No. 1974 of 2019 (*available at page No. 13-15 of the memo of petition*), 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 21, which was left by her deceased mother, namely, Sabeen Naz, who allegedly died on 17<sup>th</sup> March, 2014 at Karachi, leaving behind her ten legal heirs, namely, (1) Kashif Shehzad (widower), (2) Shanaya Kashif (daughter/petitioner), (3) Sarwat Rana (sister), (4) Iftikhar Ali Khan (brother), (5) Chaman Rana (sister), (6) Muhammad Ali (brother), (7) Amir Ali Khan (brother), (8) Imran Ali Khan (brother), (9) Zahid Ali (brother) and (10) Afsheen Naz (sister). 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 17, 19 and 27 to 51.

Legal heirs No. 1, 5 to 8 and 10 have filed their Affidavits of No-Objection for the grant of Letter of Administration in favour of the petitioner/legal heir No.3. Legal

heirs No. 4 to 10 have also executed Special Power of Attorney duly authenticated by the Notary Public at Karachi in favour of the petitioner, which are available on record.

Two witnesses, namely, Malik Noman and Muhammad Mujtaba Khan 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 1<sup>st</sup> November, 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 19<sup>th</sup> November, 2020.

On 9<sup>th</sup> December, 2021 the petitioner as well as one of the witnesses, namely, Muhammad Mujtaba Khan appeared before this Court, while on 21<sup>st</sup> January, 2021 legal heir No.3 and another witness, namely, Malik Noman made their appearance, whereas today legal heir No. 1 is present before this Court. All have 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 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

