

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
S.M.A. No. 99 of 2021

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

13.04.2021

Mr. Zahid Abbas, Advocate for petitioner.

Through the instant petition, petitioner Muhammad Najeeb-ur-Rehman 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 his deceased father, namely, Rasheed Muhammad Khalil-ur-Rehman, who allegedly died on 7th September, 2009 at Karachi, leaving behind him six legal heirs, namely, (1) Mst. Badarunnisa (widow) (2) Muhammad Najeeb-ur-Rehman (son/petitioner), (3) Muhammad Nabeel-ur-Rehman (son), (4) Muhammad Naveed-ur-Rehman (son), (5) Mst. Nosheen Kanwal (daughter) and (5) Mst. Nida Fatima (daughter), out of whom legal heir No. 1 also died on 9th May, 2020. Original Death Certificate of deceased Rasheed Muhammad Khalil-ur-Rehman as well as photostat copies of Death Certificate of deceased Mst. Badarunnisa, Family Registration Certificate, issued by the NADRA and title documents of the immovable property are also filed at page 13, 17, 19 and 25 to 33.

Legal heirs No. 4 to 6 have filed their Affidavits of No-Objection for the grant of Letter of Administration in favour of the petitioner/legal heir No.2 while legal heir No. 3 has executed Special Power of Attorney duly authenticated by the Vice Consul (CA) in the Consulate General of

Pakistan at Dubai, U.A.E. in favour of the petitioner, which are available on record.

Two witnesses, namely, Adnan Ahmed Siddiqui and Rohail Riaz 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 25th February, 2021; 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 18th March, 2021.

On 5th April, 2021 petitioner and legal heirs No. 4 to 6 as well as one of the witnesses, namely, Adnan Ahmed Siddiqui appeared before this Court, while another witness, namely, Rohail Riaz has appeared today. All have affirmed the contents of memo of petition as well as their respective 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

