

ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI  
S.M.A. No. 104 of 2020

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Date

Order with signature of Judge

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For hearing of main petition.

02.09.2020

Mr. Kashif Ahmed Khiyani, advocate for petitioner.

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Through the instant petition, petitioner Karim Nadir 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 mother, namely, Mrs. Sher Bano wife of Nadir Kamruddin, who allegedly died on 20<sup>th</sup> October, 2019 at Karachi, leaving behind (1) Nadir Kamruddin (widower), (2) Shamsah Nadir Hussain (daughter) and (3) Karim Nadir (son/petitioner) as her legal heirs. 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 45.

Legal heirs No. 1 & 2 have filed their Affidavits of No-Objection for the grant of Letter of Administration in favour of the petitioner. Legal heir No. 2 has also executed Special Power of Attorney duly attested by the Notary Public at Karachi in favour of her father.

Two witnesses, namely, Alishan s/o. Anwar Ali and Salim Vastani s/o. Sadruddin Vastani 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 6<sup>th</sup> March, 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 20<sup>th</sup> August, 2020.

Today petitioner and legal heir No. 1 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 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