

ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI  
S.M.A. No. 120 of 2021

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

22.04.2021

Mr. Khalid Mustafa, advocate for petitioner.  
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Learned counsel for the petitioner files Amended Schedule “A” of Immovable Properties, which is taken on record and marked as page No. 27, while the earlier Schedule “A” of Immovable Properties is marked as page No. 27/A.

Through the instant petition, petitioner Syed Tahir Hussain 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 Amended Schedule of Immovable Properties and Schedule of Movable Properties available with the memo of petition at page 27 & 29, which were left by his deceased brother, namely, Syed Farooq Hussain, who allegedly died on 9<sup>th</sup> September, 2020 at Karachi, leaving behind him seven legal heirs, details whereof are mentioned in paragraph No. 5 of the memo of petition. Original Death Certificate of deceased as well as photostat copies of Family Registration Certificate, issued by the NADRA, title documents of the immovable properties and Special Saving Certificates are also filed at page 17, 25 and 37 to 75.

Legal heirs No. 5 & 7 have filed their Affidavits of No-Objection for the grant of Succession Certificate and Letter of Administration in favour of the petitioner/legal heir No.2 duly sworn before Assistant Registrar, Affidavit and Identity Branch of this Court, while the legal heir No. 4, who is in Iddat has filed such affidavit duly sworn at her home before Assistant Registrar, Affidavit and Identity Branch of this Court, who was assigned to administer oath as well as take

her signature on the affidavit by the order of Registrar of this Court dated 13<sup>th</sup> February, 2021, whereas legal heirs No. 1, 3 and 6 have filed General Power of Attorney duly authenticated by the Deputy Consul General in the Consulate General of Pakistan at Toronto, Canada in favour of the petitioner, which are available on record.

Two witnesses, namely, Muhammad Kaleem and Muhammad Hassan Umer Siddiqui 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 25<sup>th</sup> February, 2021; 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 11<sup>th</sup> March, 2021.

Today petitioner and legal heirs No. 5 & 7 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**