

**ORDER SHEET**  
IN THE HIGH COURT OF SINDH AT KARACHI  
**S.M.A. No. 503 of 2020**

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Date

Order with signature of Judge

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For hearing of main petition.

**02.03.2021**

Mr. Shamim Ahmed Riazi, advocate for petitioner.

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Learned counsel for the petitioner files an application under Section 151 C.P.C. seeking permission to submit present affidavit of independent witness; namely Muzammil Razzaq in place of Moazzam Razzaq as the CNIC of latter is missing.

There is no impediment in allowing this application, hence the same is allowed. Office is directed to assign CMA number to this application.

Through the instant petition, Petitioner Ghulam Mohiuddin has prayed for the grant of Letter of Administration in respect of immovable properties/assets, details whereof are mentioned in the revised Schedule of Properties attached with the memo of petition, available at page 21, which were left by his deceased father, namely, Abdul Rasheed S/o Shafi Muhammad, who allegedly died on 15.6.2020 at Karachi, leaving behind him five legal heirs, details whereof is mentioned in paragraph No.3 of the memo of petition. Original Death Certificate of deceased as well as photostat copies of Family Registration Certificate, issued by the NADRA and title documents of the immovable properties are also filed at page 13 to 17 and 33 to 73.

Legal heirs No.1 and 3 to 5 has filed their affidavits of no objection for the grant of Letter of Administration in favour of the petitioner.

Two witnesses, namely, Abdul Majeed S/o Muhammad Shafi and Muzammil Razzaq S/o Abdul Razzaq 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 and Quetta dated 24.12.2020; 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 15.7.2019.

On 09<sup>th</sup> February, 2021 petitioner and legal heirs No.1, 3 to 5 as well as one of the witness, namely, Abdul Majeed appeared before this Court, whereas today another witness, namely, Muzammil Razzaq has made his appearance before this Court. All have 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 Letter of Administration to petitioner, therefore, the petition is allowed. The office is directed to issue Letter of Administration in respect of immovable properties/assets shown in the Schedule of Properties, as per rules.

J U D G E