

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
S.M.A. No. 159 of 2020

Date	Order with signature of Judge
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1. For order on Nazir's report dated 01.09.2020.
2. For hearing of main petition.

24.11.2020

Mr. Syed Fazal-ur-Rehman, advocate for petitioner.

1. Nazir's report is taken on record.
2. Through the instant petition, petitioner Muhammad Arif has prayed for the grant of Succession Certificate and Letter of Administration in respect of moveable and immovable properties/assets, details whereof are mentioned in the Amended Schedule of Properties attached with the memo of petition, available at page 19 & 21, which were left by his deceased sister, namely, Mst. Shahnaz Parveen d/o Muhammad Umar, who allegedly died on 23rd January, 2019 at Karachi, leaving behind her six legal heirs, details whereof is mentioned in paragraph No. 2 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 property and bank statements are also filed at page 9, 11 and 27 to 95, while Statement of Account in respect of one of the Bank Account has been submitted by the Nazir of this Court with his report dated 1st September, 2020.

Legal heirs No. 2 & 6 have filed their Affidavits of No-Objection for the grant of Succession Certificate and Letter of Administration in favour of the petitioner, while legal heirs No. 3 to 5 have executed Special Power of Attorney in favour of the petitioner duly authenticated by the Consular Attache in the Consulate of Pakistan at Bradford, UK, Deputy Consul General in the Consulate of Pakistan at Toronto, Canada and Consular Attache in the Consulate of Pakistan

at London, UK, who has filed Affidavits of No-Objection for such purpose on their behalf, which are available on record.

Two witnesses, namely, Muhammad Anas and Nazahatullah 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 26th September, 2020; 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 8th October, 2020.

On 3rd September, 2020 legal heir No. 6 and one of the witnesses, namely, Nazahatullah Khan have made their appearance before this Court, while the petitioner, legal heir No. 2 and another witness, namely, Muhammad Anas have appeared today. They 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 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 Amended Schedule of Properties, as per rules.

J U D G E

Athar Zai