

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
S.M.A. No. 169 of 2020

Date

Order with signature of Judge

For hearing of main petition.

25.08.2020

Syed Hassan Jafri, advocate for petitioner.

Through the instant petition, petitioner Mst. Nusrat Naqvi widow of Syed Asad Abbas Naqvi has prayed for the grant of Succession Certificate in respect of moveable property/asset, details whereof are mentioned in the Schedule of Property attached with the memo of petition, available at page 39, which was left by his deceased son, namely, Syed Muhammad Ali Naqvi, who allegedly died on 18.08.2018 at Ontario, Canada, leaving behind (1) Mst. Nusrat Naqvi (mother/petitioner) and (2) Syeda Fizza Manzar (widow) as his legal heirs. Original Death Certificate of deceased issued by the Registrar General Ontario, Canada as well as photostat copies of Family Registration Certificate, issued by the NADRA and letter issued by the Embassy of Pakistan at Riyadh, Saudi Arabia are also filed at page 23, 27 and 53.

Legal heir No. 2 has filed her Affidavit of No-Objection for the grant of Succession Certificate in favour of the petitioner.

Two witnesses, namely, Syed Manzar Abbas Naqvi s/o. Syed Tehzib Husain Naqvi and Syed Muhammad Raza Naqvi s/o. Late Syed Asad Abbas Naqvi 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 daily "The News" dated 21.05.2020; however, none has filed any objection to the grant of Succession Certificate to petitioner, as per the report submitted by the Deputy Registrar (OS) on 25.08.2020.

Today petitioner and legal heir No. 2 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 to petitioner, therefore, the petition is allowed. The office is directed to issue Succession Certificate in respect of movable properties/assets shown in the Schedule of Properties, as per rules.

J U D G E

Athar Zai