

ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI  
S.M.A. No. 219 of 2020

Date	Order with signature of Judge
------	-------------------------------

For hearing of main petition.

25.09.2020

M/s. Syed Hasan Jafri, Syed Ziauddin Nasir and Zulfiqar Ali Sheikh,  
advocates for petitioner.

-----

Through the instant petition, petitioner Mrs. Muneeza wife of Syed Ziauddin Nasir 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 Schedule of Properties attached with the memo of petition, available at page 29, which were left by her deceased father, namely, Muhammad Anis Ghaznavi s/o. Muhammad Ayub Ghaznavi, who allegedly died on 08.04.2016 at Karachi, leaving behind (1) Wahab Ghaznavi (son), (2) Mrs. Muneeza (daughter/petitioner), (3) Usman Anis (son), and (4) Salman Anis Ghaznavi (son) as his legal heirs. 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 25, 27 and 39 to 57.

Legal heir No. 1, 3 & 4 have filed their Affidavits of No-Objection for the grant of Succession Certificate and Letter of Administration in favour of the petitioner. Legal heirs No. 1 & 3 have also executed Special Power of Attorney duly attested by the Notary Public at Karachi in favour of the petitioner.

Two witnesses, namely, Muhammad Aadil s/o. Zafar Abbas and Azfer Hussain Siddiqui s/o. Ather Hussain 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 20.08.2020; 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 10.09.2020.

Today petitioner and legal heir No. 4 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.

At this juncture, learned counsel for the petitioner states that since no one has come forward to raise objection for the grant of this petition, the petitioner may be exempted from furnishing two securities/sureties for issuance of Letter of Administration and Succession Certificate and permitted to deposit title documents of the immovable property mentioned in the Schedule of Properties for the grant of Letter of Administration and be allowed to execute P.R. Bond for the grant of Succession Certificate in respect of movable property, in lieu of surety.

Looking to the fact that despite publication in newspaper none has raised any objection for the grant of Succession Certificate and Letter of Administration in favour of the petitioner, the request is allowed. Nazir is directed to accept original title documents of the subject property as surety for issuance of Letter of Administration. Petitioner is also allowed to execute P.R. Bond for the grant of Succession Certificate in respect of movable property.

J U D G E