

ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI  
S.M.A. No. 254 of 2018

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Date

Order with signature of Judge

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For hearing of main petition.

11.08.2020

Mr. A. Nawaz Osmani, advocate for petitioner.

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Through the instant petition, petitioner Muhammad Ali Noor has prayed for the grant of Succession Certificate in respect of moveable properties/assets, details whereof are mentioned in the Schedule of Properties attached with the memo of petition, available at page 25, which were left by his deceased father, namely, Abdul Muttalib s/o. Abdul Wahab Qadri, who allegedly died on 08.10.2016 at Karachi, leaving behind (1) Mst. Suhana Naz Siddiqui (widow), (2) Shafaq Noor (daughter) and (3) Muhammad Ali Noor (son/petitioner) as his legal heirs. Original Death Certificate of deceased as well as photostat copies of Family Registration Certificate, issued by the NADRA and letters from Department of Communication Security, Government of Pakistan, Islamabad are also filed at page 19 to 23, 41 and 43, while bank statements are attached with the Nazir's report dated 11.03.2019.

Legal heirs No. 1 & 2 have executed Special Power of Attorney duly attested by the Notary Public at Karachi on 14<sup>th</sup> July, 2018 in favour of the petitioner, who has filed Affidavit of No-Objection for the grant of Succession Certificate on their behalf.

Two witnesses, namely, Muhammad Taha Siddiqui s/o. Kamal Bakhtiar Siddiqui and Kashif s/o. Khursheed 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 & Rawalpindi dated 21<sup>st</sup> & 22<sup>nd</sup> May, 2019, respectively; 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 08.08.2019.

Today petitioner and 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