

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
S.M.A. No. 259 of 2019

Date	Order with signature of Judge
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For hearing of main petition.

18.09.2019

Mr. Muhammad Naseer Abbasi, advocate for petitioner.

Through the instant petition, Petitioner Mst. Kanwal Urooj daughter of Manozor Hussain has prayed for the grant of Letter of Administration in respect of immoveable property/asset, details whereof are mentioned in the Schedule of Property attached with the memo of petition, available at page 29, which was left by her deceased sister, namely, Mst. Ghazala Javaid wife of Muhammad Javaid, who allegedly died on 30.08.2018 at Karachi, leaving behind (1) Muhammad Javaid (husband), (2) Farrukh Atteeq (brother), (3) Mst. Kanwal Urooj (sister/petitioner), (4) Farah Kashif (sister) and (5) Shazia Erum (sister) as her legal heirs. Original Death Certificate of deceased as well as photostat copies of Family Registration Certificate, issued by the NADRA and title documents of the immovable property are also filed at page 19, 27 and 35 to 50.

Legal heirs No. 1 has filed his affidavit of no objection for the grant of Letter of Administration in favour of the petitioner, while legal heirs No. 2, 4 & 5 have executed Special Power of Attorney duly attested by the First Secretary in the Embassy of Pakistan at Washington DC, USA, Notary Public at Islamabad and Consular Attache in the High Commission of Pakistan at London, UK in favour of the petitioner, who has filed affidavits of no objection on their behalf for the grant of Letter of Administration in her favour.

Two witnesses, namely, Muhammad Tayyab s/o. Abdul Khalique and Syed Mazhar Hussain Shah s/o. Syed Nawab Shah 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 21.08.2019; 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 05.09.2019.

Today petitioner and legal heir No. 1 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 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 property/asset shown in the Schedule of Property, as per rules.

J U D G E

Athar Zai