

ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI  
S.M.A. No. 274 of 2018

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

05.12.2018

Mr. Hammad Waheed, advocate for petitioner.

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Through the instant petition, Petitioner Ghulam Abbas has prayed for the grant of Letter of Administration in respect of immovable property/asset, details whereof are mentioned in the Schedule of Property attached with the memo of petition, available at page 17, which was left by his deceased mother, namely, Mst. Faheem Anjum Abbasi wife of Ghulam Farooq Abbai, who allegedly died on 24.02.2009 at Karachi, leaving behind (1) Ghulam Farooq Abbasi (husband), (2) Ghulam Ali Abbasi (son), (3) Ghulam Abbas (son/petitioner), (4) Mst. Shagufta Yasmeen Abbasi (daughter) and (5) Aamir Abbasi (son) as his legal heirs, out of them legal heir No.1 has also expired on 05.01.2018. Original Death Certificate of deceased Mst. Faheem Anjum Abbasi as well as photostat copies of death certificate of deceased Ghulam Farooq Abbasi, Family Registration Certificate, issued by the NADRA and title documents of the immovable property are also filed at page 13, 15, 15-A and 21 to 55.

Legal heir No. 4 has filed her affidavit of no objection for the grant of Letter of Administration in favour of the petitioner, while legal heirs No. 2 & 5 have executed Special Power of Attorney in favour of the petitioner, duly attested by the Justice of Peace at Karachi.

Two witnesses, namely, Muhammad Waseem-ud-din s/o. Shamsuddin and Atiq Ahmed Khan s/o. Habib-ur-Rehman 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 25.08.2018; 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 06.09.2018.

Today petitioner, legal heir No. 4 and above named witnesses are present. They affirm the contents of 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