

ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI  
S.M.A. No. 294 of 2019

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Date

Order with signature of Judge

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For hearing of main petition.

23.12.2019

Mr. Muhammad Taqi, advocate for petitioner.

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Through the instant petition, petitioner Mst. Mehmooda Haider Khataw 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 25, which was left by her deceased parents, namely, Ghulm Ali Muhammad Jaffar A and Mst. Nargis M. Jaffer, who allegedly died on 29.06.2019 and 25.01.2013, respectively, at Karachi, leaving behind (1) Mst. Sukain F. A. Hussain (daughter) (2) Mst. Zehra Fahmid Rashid (daughter) and (3) Mst. Mehmooda Haider Khataw (daughter) as their legal heirs. Original Death Certificates of both the 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 to 23 and 37.

Legal heirs No. 1 & 2 have filed their Affidavits of No-Objection for the grant of Succession Certificate and Letter of Administration in favour of the petitioner, duly sworn before Assistant Registrar, Affidavit and Identity Branch of this Court on 15<sup>th</sup> July, 2019 and Consular Attache in the Consulate General of Pakistan at Dubai on 31<sup>st</sup> July, 2019, respectively, which are available on record.

Two witnesses, namely, Haider Khataw s/o. Qasim Ali Khataw and Zubair Ahmed s/o. Hassan Ali 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 “The News” dated 4<sup>th</sup> & 5<sup>th</sup> October, 2019, respectively; 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 7<sup>th</sup> November, 2019.

On 17<sup>th</sup> July, 2019 and 14<sup>th</sup> November, 2019 legal heir No. 1 and petitioner respectively made their appearance before this Court, while legal heir No.2 as well as above named witnesses have appeared today. All have affirmed the contents of memo of petition as well as their respective affidavits and also verified their signatures made 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