

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
S.M.A. No. 297 of 2020

Date

Order with signature of Judge

For hearing of main petition.

10.11.2020

Mr. Muhammad Yakub Kapadia, advocate for petitioner.

Through the instant petition, petitioner Muhammad Idrees 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 25, which was left by his deceased mother, namely, Zulekha widow of Tar Muhammad, who allegedly died on 21st November, 1996 at Karachi, leaving behind seven sons, namely, (1) Haroon, (2) Adam, (3) Abdul Karim, (4) Muhammad Idrees, (5) Muhammad Saleem, (6) Abdul Razzaq and (7) Muhammad Yousuf as his legal heirs, out of whom legal heir No 7 also died on 16th April, 2003; therefore, his legal heirs (i) Amina (widow), (ii) Muhammad Shahid (son), (iii) Muhammad Asif (son), (iv) Razia Bano (daughter) and (v) Asma Karim (daughter) have been joined in this matter. Original Death Certificate of deceased Zulekha & Muhammad Yousuf 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 13, 15, 21,23 and 31-44.

Legal heirs No. 1, 2, 3, 5, 6 and 7(i) to 7(v) have filed their Affidavits of No-Objection for the grant of Letter of Administration in favour of the petitioner, which are available on record.

Two witnesses, namely, Abdul Karim s/o. Muhammad Hashim and Abdul Latif s/o. Muhammad Ismail 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 5th October, 2020; 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 22nd October, 2020.

Today petitioner and legal heirs No. 1, 2, 3, 5, 6 and 7(i) to 7(v) 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 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