

ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI  
S.M.A. No. 309 of 2020

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Date	Order with signature of Judge
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For orders on C.M.A. No. 1506/2021.

04.06.2021

Mr. Muhammad Usman Alam, advocate for petitioner.  
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The matter is already fixed on 13<sup>th</sup> August, 2021; however, learned counsel for the petitioner pleads urgency and requests for taking up the matter. Urgency application is treated as an application for ante-date hearing of the matter and accordingly granted. Consequently, the matter is taken up for hearing.

Through the instant petition, petitioner Muhammad Hasham Shaikh has prayed for the grant of Succession Certificate and Letter of Administration in respect of moveable and immoveable properties/assets, details whereof are mentioned in the Schedule of Properties attached with the memo of petition, available at page 15, which were left by his deceased widow, namely, Feroza Shaikh, who allegedly died on 23<sup>rd</sup> August, 2020 at Karachi, leaving behind her three legal heirs, namely, (1) Muhammad Hasham Shaikh (widower/petitioner), (2) Tahir Ahmed Ayaz Shaikh (son) and (3) Ayesha Sharif (daughter). Original Death Certificate of deceased issued by the Secretary, Union Committee No. 22, Geelani Railway Station, Karachi-East as well as photostat copies of Family Registration Certificate, issued by the NADRA, title documents of the immovable properties and Behbood Saving Certificates are also filed at page 9, 11 and 21 to 45.

Legal heirs No. 2 & 3 have filed their Affidavits of No-Objection for the grant of Succession Certificate and Letter of Administration in favour of the petitioner/legal heir No.1, while legal heir No. 3 has also executed

Special Power of Attorney duly authenticated by the Notary Public at Karachi in favour of the petitioner, which are available on record.

Two witnesses, namely, Muhammad Younus and Abdul Samad 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 7<sup>th</sup> April, 2021; however, none has filed any objection to the grant of Succession Certificate and Letter of Administration to petitioner, as per the report submitted by the Deputy Registrar (OS) on 29<sup>th</sup> April, 2021.

Today petitioner and legal heir No. 2 & 3 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 Succession Certificate and Letter of Administration to petitioner, therefore, the petition is allowed. The office is directed to issue Succession Certificate and Letter of Administration in respect of movable and immovable properties/assets shown in the Schedule of Properties, as per rules.

**J U D G E**

Athar Zai