

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
S.M.A. No. 310 of 2021

Date	Order with signature of Judge
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For orders on C.M.A. No. 1503/2021.

04.06.2021

Mr. Ghulam Shabbir, advocate for petitioner.

Learned counsel for the petitioner pleads urgency and requests for taking up the matter. Urgency application is granted and consequently the matter is taken up for hearing.

Through the instant petition, petitioner Mrs. Kaneez Fatima 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 31, which were left by her deceased husband, namely, Muhammad Ali, who allegedly died on 18th February, 2021 at Karachi, leaving behind him six legal heirs, details whereof are mentioned in paragraph No. 2 of the memo of petition. Original Death Certificate of deceased issued by the Secretary Union Committee-27, District East-Karachi as well as photostat copies of Family Registration Certificate, issued by the NADRA, title documents of the immovable properties, Behbood Saving Certificates and Regular Income Certificates are also filed at page 25, 27, 28 and 63 to 109.

Legal heirs No. 4 to 6 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 duly sworn before Assistant Registrar, Affidavit and Identity Branch of this Court, while legal heirs No. 2 & 3 have filed such affidavits and also executed General Power of Attorney duly sworn before / authenticated by the Deputy Consul General in the

Consulate General of Pakistan at Toronto (Canada) and Counsellor in the Consulate General of Pakistan at Houston (Texas, U.S.A.) in favour of legal heirs No. 5 & 4, respectively, which are available on record.

Two witnesses, namely, Azhar and Muhammad Raza 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 dated 26th 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 27th May, 2021.

Today petitioner and legal heir No. 4 to 6 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

