

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
S.M.A. No. 312 of 2019

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

24.09.2019

Mr. Kazim Abbasi, advocate for petitioner.

Through the instant petition, Petitioner Subhan Ellahi has prayed for the grant of Succession Certificate and Letter of Administration in respect of moveable and immovable 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 father, namely, Muhammad Amjad Noorez Siddiqui s/o. Shaikh Muhammad Amin Siddiqui, who allegedly died on 03.12.2018 at Karachi, leaving behind (1) Subhan Ellahi (son/petitioner), (2) Shan Ellahi (son), (3) Irem Jahan (daughter) and (4) Kiran Jehan Nausher (daughter) as his legal heirs. Original Death Certificate of deceased as well as photostat copies of Family Registration Certificate, issued by the NADRA, title documents of the immovable properties and bank statement are also filed at page 9, 13 and 21 to 47.

Legal heirs No. 3 & 4 have filed their affidavits of no objection for the grant of Succession Certificate and Letter of Administration in favour of the petitioner, while legal heir No. 2 has executed Special Power of Attorney duly attested by the Consular Attache in the High Commission of Pakistan at London, UK in favour of the petitioner.

Two witnesses, namely, Aisha Subhan Ellahi wife of Subhan Ellahi and Sham Lal s/o. Lachman 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 21.08.2019; 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 05.09.2019.

Today petitioner and legal heirs No. 3 & 4 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 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