

ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI  
S.M.A. No. 316 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. Shahid Hussain, advocate for petitioner.

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Through the instant petition, petitioner Imad Samad 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 21, which was left by his deceased father, namely, Abdul Samad s/o Muhammad Abdul Jalil, who allegedly died on 31.07.1994 at Karachi, leaving behind (1) Mst. Ruby Samad (widow), (2) Imad Samad (son/petitioner), (3) Mrs. Sophia Azam (daughter), (4) Shahzad Samad (son), (5) Mrs. Salma Samad (daughter) and (6) Mrs. Aasia Seemab (daughter) as his legal heirs, out of whom legal heir No. 1 also expired on 11.02.2001. Original Death Certificated 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 17, 19, 19/A and 21.

Legal heirs No. 3 to 6 have filed their Affidavits of No-Objection for the grant of Letter of Administration in favour of the petitioner.

Two witnesses, namely, Alamgeer s/o. Jannat Hussain and Muhammad Adil Nawaz Khan Yousufzai s/o. Muhammad Sarfaraz Khan Yousufzai 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 01.09.2019; 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 19.09.2019.

On 3<sup>rd</sup> October, 2019 petitioner and legal heirs No. 3 to 6 as well above named witnesses made their appearance before this Court and 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