

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
S.M.A. No. 406 of 2020

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

18.12.2020

Mr. Kaleemullah Shaikh, advocate for petitioner.

Through the instant petition, petitioner Faraz Ali Khan 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 pages 19-21, which were left by his deceased father, namely, Iqbal Muhammad Khan, who allegedly died on 13th August, 2020 at Karachi, leaving behind him five legal heirs, details whereof are mentioned in paragraph No. 3 of the memo of petition. 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 15,17 and 29 to 109.

Legal heirs No. 1 and 3 to 4 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.2. They have 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, Fazal-e-Rabi and Shabir Hussain Jalali 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 18th November, 2020; 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 3rd December, 2020.

On 16th December, 2020 petitioner and legal heir No. 1 as well as one of the witnesses, namely, Fazal-e-Rabi appeared before this Court, while today another witness, namely, Shabir Hussain Jalali has made his appearance. All have affirmed the contents of memo of petition as well as their affidavits and also verified 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