

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
S.M.A. No. 415 of 2020

Date	Order with signature of Judge
------	-------------------------------

For hearing of main petition.

30.04.2021

Mr. Molvi Iqbal Haider, advocate for petitioner.

Learned counsel for the petitioners contends that through instant petition the petitioners namely, Tahira Jabeen, Shahzeb Qamar and Hafsa Qamar seek grant of Succession Certificate and Letter of Administration in their favour in respect of moveable and immoveable properties/assets left by their deceased husband/father, namely, Qamar Iqbal s/o. Ahmed Bux; however, due to inadvertence the word “Letter of Administration” could not be mentioned in the title of the petition as well as in the prayer clause; hence, he seeks permission to make requisite amendments. The request being formal in nature is allowed accordingly.

Learned counsel for the petitioner files through a statement Affidavits of No-Objection executed by the petitioners No. 2 & 3 for the grant of Succession Certificate and Letter of Administration exclusively in favour of their mother, the petitioner No. 1, which are taken on record.

Through the instant petition, petitioners have 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 Amended Schedule of Properties attached with the memo of petition, available at page 19/A & 19/B, which were left by the aforesaid deceased, who allegedly died on 19th September, 2020 at Karachi, leaving behind him the petitioners as his only surviving 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, registration documents of vehicle and Salary Slip issued by the Accountant General Sindh are also filed at page 15, 19 and 27 to 177, while the bank statements in respect of the accounts maintained by the said deceased are attached with the Nazir’s report dated 13th February, 2021.

Two witnesses, namely, Yaqoob s/o. Ghulam and Muhammad Farooq s/o. Dost Muhammad 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 7th 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 15th April, 2021.

Today all the petitioners 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; therefore, the petition is allowed. The office is directed to issue Succession Certificate and Letter of Administration to the petitioner No. 1 in respect of movable and immovable properties/assets shown in the Amended Schedule of Properties, as per rules.

J U D G E

Athar Zai