

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
S.M.A. No. 399 of 2020

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

18.12.2020

Mr. Muhammad Yamin Zuberi, advocate for petitioner.

Through the instant petition, petitioner Mrs. Rukhsana Ashraf has prayed for the grant of Letter of Administration in respect of immoveable properties/assets, details whereof are mentioned in the Schedule of Properties attached with the memo of petition, available at page 13, which were left by her deceased husband, namely, Ashraf Pervaiz Ansari, who allegedly died on 29th February, 2020 at Karachi, leaving behind him five legal heirs, details whereof are mentioned in paragraph No. 4 of the memo of petition. Original Death Certificate of deceased as well as photostat copies of Family Registration Certificate, issued by the NADRA and title documents of the immovable properties are also filed at page 9, 11 and 21 to 51.

Legal heirs No. 2 to 5 have filed their Affidavits of No-Objection for the grant of Letter of Administration in favour of the petitioner/legal heir No.1, which are available on record.

Two witnesses, namely, Yousuf Idris and Waqar Shah 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 Letter of Administration to petitioner, as per the report submitted by the Deputy Registrar (OS) on 3rd December, 2020.

On 5th November, 2020 legal heir No. 3 while on 15th December, 2020 petitioner and legal heirs No. 2, 4 & 5 as well as one of the witness, namely, Yousuf Idris appeared before this Court, whereas today another witness, namely, Waqar Shah has made his appearance before this Court. All have and 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 Letter of Administration to petitioner, therefore, the petition is allowed. The office is directed to issue Letter of Administration in respect of immovable properties/assets shown in the Schedule of Properties, as per rules.

J U D G E

Athar Zai