

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
S.M.A. No. 455 of 2019

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

10.12.2019

Ms. Anila Danish, advocate for petitioner.

At the very outset, learned counsel for the petitioner states that the instant petition has been filed for the grant of Letter of Administration in respect of immovable property left by the deceased, namely, Muhammad Anwar s/o. Muhammad Zafar; however, due to typographic mistake Succession Certificate has also been mentioned in the title of the petition and in the prayer clause prayer has been made for distribution of the share of the deceased in respect of movable and immovable properties left by him amongst his legal heirs through Nazir of this Court; hence, she seeks permission for making necessary correction. Let necessary correction be made in the title of the petition as well as prayer clause and initialed.

Through the instant petition, petitioner Riaz Mehmood Siddiqui 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 19, which was left by his deceased father named above, who allegedly died on 03.08.2015 at Karachi, leaving behind (1) Mushira Khatoon (widow), (2) Waqar Mehmood (son), (3) Riaz Mehmood Siddiqui (son/petitioner), (4) Surriya Siddiqui (daughter) and (5) Salma Siddiqui (daughter) as his legal heirs. Original Death Certificate of 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 15, 17 and 27 to 38.

Legal heirs No. 1, 2, 4 & 5 have filed their Affidavits of No-Objection for the grant of Letter of Administration in favour of the petitioner.

Two witnesses, namely, Abdul Rasheed Patel s/o. Wali Muhammad Patel and Abdul Rauf Chhepa s/o. Muhammad Yaseen Cheepa 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 08.11.2019; 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 28.11.2019.

Today petitioner and legal heirs No. 1, 2, 4 & 5 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 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