

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
S.M.A. No. 460 of 2020

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

02.06.2021

Mr. Ahmed Madni, advocate for petitioner.

Through the instant petition, petitioner Shams Rafi 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 Amended Schedule of Properties attached with the memo of petition, available at page 17/A to 17/D, which were left by his deceased father, namely, Muhammad Rafi, who allegedly died on 11th June, 2020 at Karachi, leaving behind him four legal heirs, namely, (1) Mussarat Rafi (widow), (2) Nazia Maqbool (daughter), (3) Shams Rafi (son/petitioner) and Salman Rafi (son). Original Death Certificate of deceased issued by the Secretary, U.C-28, Saddar, District South, Karachi as well as photostat copies of Family Registration Certificate, issued by the NADRA, title documents of the immovable properties, bank statements, Bebood Saving Certificates, Share Certificates and registration documents of vehicles are also filed at page 13, 15 and 33 to 85.

Legal heirs No. 1, 2 & 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.3, which are available on record.

Two witnesses, namely, Muhammad Iqbal and Mumtaz 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 13th March, 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 8th April, 2021.

On 22nd April, 2021 petitioner and legal heirs No. 1, 2 & 4 as well above named witnesses appeared 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 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 Amended Schedule of Properties, as per rules.

J U D G E

Athar Zai