

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
S.M.A. No. 448 of 2020

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

26.01.2021

Mr. Ghulam Hussain, advocate for petitioner.

Through the instant petition, petitioner Talha Balal Khwaja 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 pages 19-21, which were left by his deceased father, namely, Balal Ahmed Khwaja, who allegedly died on 9th October, 2020 at Karachi, leaving behind him four legal heirs, details whereof are mentioned in paragraph No. 2 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, bank statements, Saving Certificates and documents of vehicles are also filed at page 13, 15 and 33 to 107.

Legal heirs No. 1 & 2 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.4, while legal heir No. 3 has 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, Muhammad Azam Khan and Gull Nazir Khan 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 3rd December, 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 24th December, 2020.

Today petitioner and legal heirs No. 1 & 2 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 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