

ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI  
S.M.A. No. 475 of 2019

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Date

Order with signature of Judge

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For hearing of main petition.

19.12.2019

Mr. Mushtaq Ahmed Joyia, advocate for petitioner.

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Through the instant petition, petitioner Muhammad Bashiruddin 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 Schedule of Properties attached with the memo of petition, available at page 31 & 33, which were left by his deceased wife, namely, Mst. Zubaida Bashir, who allegedly died on 16<sup>th</sup> February, 1996 at Karachi, leaving behind (1) Muhammad Bashiruddin (widower), (2) Muhammad Razeuddin (son), (3) Mst. Shafqat Yassmeen (daughter), (4) Muhammad Rizwanuddin (son) and (5) Mst. Shagufta Jabeen as her legal heirs out of whom legal heir No. 5 also expired on 30<sup>th</sup> May, 2014; therefore, her legal heirs, namely, (i) Muhammad Shafi-ul-Bari (widower) and (ii) Shaheer Muhammad Bari (son) were also joined in the proceedings. Original Death Certificate of deceased Mst. Zubaida Bashir as well as photostat copies of Death Certificate of her deceased daughter Mst. Shagufta Jabeen, Family Registration Certificates, issued by the NADRA, title documents of the immovable properties and Share Certificates are also filed at page 17, 19, 21, 23, 29 and 35 to 93.

Legal heirs No. 2 to 4 and 5(ii) have filed their Affidavits of No-Objection for the grant of Succession Certificate and Letter of Administration in favour of the petitioner, while legal heir No. 5(i) has executed Special Power of Attorney duly attested by the Notary Public at Karachi in favour of legal heir No. 5(ii).

Two witnesses, namely, Shaikh Amir s/o. Shaikh Habib and Muhammad Kashif Raze s/o. Muhammad Razeuddin 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 18<sup>th</sup> November, 2019; 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 5<sup>th</sup> December, 2019.

Today petitioner and legal heirs No. 2 to 4 and 5(ii) 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 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 Schedule of Properties, as per rules.

J U D G E

Athar Zai