

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

SMA NO.259/2021

Date Order with signature of Judge

26.10.2021

Ms. Rabia Khan advocate

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Office note dated 14.10.2021 is that :-

“As per contents of amended petition, the above named deceased expired on 10.03.2021 at Karachi. Original death certificate and family registration certificate are attached in the case file at page No. 27-31. The deceased above named left behind the following legal heirs as per petition:-

1. Ashad Anwar, son. Since deceased Through LRs.
 - a) Aliya Ashad, Widow
2. Asad Anwar, son (petitioner)
- 3 . Rukhsana Tariq, Daughter
4. Asim Anwar, Son

Legal heir No. 2 is the petitioner who is Son of deceased. All the legal heirs have sworn affidavit of No objection in favour of Petitioner. (Page Nos.63-75)

Affidavits of two witnesses, namely, (1) Mujeeb-ul-Haq son of Fazal Haq and (2) Muhammad Sadiq son of Khursheed Ali, are also on record. (Page No. 77-83)

As per schedule of properties (Page No. 33) the above named deceased has left (01) immovable property. Photocopies of title documents of immovable property are attached in the case file (Page Nos. 23-61) whereas original documents have been seen and returned.

Mr. Ejaz Ali, registered court clerk of learned counsel for the petitioner is present and stated that Petitioner and legal heirs will appear before the Hon’ble Court.

Publication of petition has been effected in daily Jang, Karachi, dated: 30.09.2021 but none has filed any objection from any corner. Copy of publication is available on the record.”

2. On publication of notice none has come forward to contest the case. Accordingly, SMA is allowed. Letter of administration shall be issued.

3. Needless to mention that issuance of letter of administration shall not be treated as declaration with regard to any legal character of the properties and that shall be considered to facilitate the administrator to deal with the properties. Custodian(s) of records of rights shall be competent to pass any order without being influenced by the order of this court if he/they are of the view that legal character of any or all of the properties is under clouds.

4. PR bond shall be furnished with the Nazir. Property documents shall be received as surety papers.

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