

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
S.M.A. No. 528 of 2020

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

09.02.2021

Mr. Ghulam Ali Khan, advocate for petitioner.

Through the instant petition, petitioner Osama Bin Hussain has prayed for the grant of Letter of Administration in respect of immovable property/asset, details whereof are mentioned in the Schedule of Property attached with the memo of petition, available at page 27, which was left by his deceased father, namely, Hussain Ahmed, who allegedly died on 24th December, 2015 at Karachi, leaving behind him one widow, namely, Mst. Zareena Ashraf Ali, two sons and four daughters as his legal heirs, out of whom said widow also died on 27th March, 2016. The details of surviving are mentioned in paragraph No. 4 of the memo of petition. Original Death Certificate of deceased Hussain Ahmed as well as photostat copies of Death Certificate of deceased Mst. Zareena Ashraf Ali, Family Registration Certificate, issued by the NADRA and title documents of the immovable property are also filed at page 13, 19, 23, 25 and 29 to 37.

Surviving legal heirs No. 3, 5 & 6 have filed their Affidavits of No-Objection for the grant of Letter of Administration in favour of the petitioner, duly sworn before Assistant Registrar, Affidavit and Identity Branch of this Court, while legal heirs No. 2 & 4 have filed such affidavits duly sworn before Attache in the Consulate General of Pakistan at Houston, Texas, U.S.A. and Oath Commissioner at Islamabad, respectively. Legal

heir No. 4 has also executed Special Power of Attorney duly authenticated by the Notary Public at Karachi in favour of legal heir No.5, which are available on record.

Two witnesses, namely, Ather Syed and Moizullah 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 7th January, 2021; 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 21st January, 2021.

Today petitioner and legal heirs No. 3, 5 & 6 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

