

HIGH COURT OF SINDH AT KARACHI

SMA No.236 of 2021

Date order with signature of Judge

For Hearing of main application

(Dy. Registrar (OS) diary dt. 22.04.2021 as flag 'A'.)

For orders on CMA No.1802/2021 (If granted)

05.07.2021

Mr. Azhar Aijaz, advocate for the petitioner along with legal heirs and witnesses.

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Learned counsel pleads urgency and requests for taking up the matter. Urgent application is granted and consequently the matter is taken up for hearing.

The petitioner Rafiq Tharia is son of deceased, namely, Khair-un-Nisa W/o Ghulam Hussain Dawood who expired on 18.06.2020 at Karachi, has filed the instant SMA praying for issuance of Letter of Administration in respect of immovable properties and Succession Certificate in respect of movable properties left behind by the said deceased as mentioned in para 07 of the petition. The following legal heirs left behind by the deceased.

<u>Sr.No.</u>	<u>Name</u>	<u>Relation</u>	<u>Number of CNIC</u>
1.	Razia	Daughter	42000-2135616-6
2.	Habib G. Tharia	Son	42000-0492314-5
3.	Mumtaz A. Ameer	Daughter	42301-8169842-6
4.	Rafiq Tharia	Son	42201-0783166-5

Notice of the SMA was published in the daily Jang dated 06.4.2021.

None appeared from any quarters to raise objection. All the other legal heirs of the aforesaid deceased are present in Court.

Two independent witnesses, namely, Hussain Ali son of Ghulam Sadiq and Muhammad Ashraf son of Hussain Ali are present in Court who have supported the version of the petitioner by filing their affidavits.

Since all the legal heirs of the deceased have no objection to the issuance of letter of administration and Succession Certificate in favour of the petitioner and the independent witnesses have also confirmed that there are no other legal heirs of the deceased except those mentioned above and none appeared from any quarter to raise any objection despite publication of notice, there is no impediment in grant of this SMA/petition. Accordingly, the same is granted and the office is directed to issue letter of administration / Succession Certificate in favour of the petitioner, subject to rules.

JUDGE