## **ORDER SHEET**

## HIGH COURT OF SINDH AT KARACHI

SMA No.135 of 2015

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Date

order with signature of Judge

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For Fresh case

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For Hearing of main application

(Dairy of Dy. Registrar (OS) dt. 29.10.2015 as flagged.)

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19.11.2015

Mr. Liaquat Ali Shalwani, advocate along with petitioner and witnesses.

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The petitioner Karim is son of deceased, namely, Sher Ali and Gul Bano who expired on 01.07.2013 and 16.03.2004 respectively at Karachi, who 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 the schedule of property to the petition. The petitioner is the only one legal heir left behind by the deceased.

Notice of the SMA was published in the daily Express dated 02.10.2015. None appeared from any quarters to raise objection. Petitioner is only one legal heir of the aforesaid deceased who is present in Court.

Two independent witnesses, namely, Riaz and Dawood Shalwani are present in Court who have supported the version of the petitioner by filing their affidavit.

Since the petitioner is son and only one legal heir of the aforesaid deceased, this is a non-contentious matter and the independent witnesses have also confirmed that there is no other legal heir of the deceased except the petitioner and none appeared from any quarter to raise objection despite publication of notice, there is no impediment in grant of this SMA. Accordingly, the same is granted and the office is directed to issue Letter of Administration and Succession Certificate in favour of the petitioner subject to rules.

**JUDGE** 

Gulzar/PA