

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

SMA NO.98/2020

Date Order with signature of Judge

For hearing of main petition.

14.12.2021

Mr. Afaqe A. Saeed advocate alongwith attorney Syed Mubashir Imam and witness Tajammul Ahmed Khan.

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Office note dated 19.03.2020 reflects that :-

“As per contents of petition, the above named deceased expired on at Karachi. Original death certificate and family registration certificate arc attached in the case file at page No.11-21. The deceased above named left behind the following legal heirs as per petition:-

1. Muhammad Abdul Lateef, widower
2. Mst. Ayesha Rahimuddin, daughter
3. Muhammad Farrukh Lateef, son, petitioner
4. Muhammad Saud Lateef, son, since deceased

Through

- a. Salma Saud, widow
 - b. Uzma Saud, daughter,
 - c. Seema Saud, daughter,
 - d. Muhammad Haris Saud, son
5. Muhammad Sajid Lateef, son
 6. Muhammad Sajjad Lateef, son.

Legal heir No. 03 is the Petitioner and son of the deceased.

Legal heir No. 1 has sworn affidavit of No objection and executed Special Power of Attorney in favour of legal heir No. 6 duly attested by Notary Public Karachi. (Page No. 41-49).

Legal heir No. 2 has executed Special Power of Attorney in favour of legal heir No. 5 duly attested by Notary Public Karachi. (Page No. 51-63).

Legal heir Nos. 4 (a) to (d) have sworn affidavit of No objection in favour of petitioner. (Page No. 73-87)

Legal heir Nos. 5 and 6 have sworn affidavit of No objection in favour of petitioner. (Page No. 65-71)

Affidavits of two witnesses, namely, (1) Tajammul Ahmed Khan son of Riaz Ahmed Khan and (2) Muhammad Adnan son of Muhammad Farooq Ansari, are also on record (Page No. 89-95)

As per schedule of properties (Page No. 23) the above named deceased has left (01) one Immovable property. Photocopies of title documents of immovable property are attached in the case file. (Page No. 33-39) while originals have been seen and returned.

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Publication of main petition has been effected in Daily Jang Karachi dated 22.02.2020, but none has filed any objection from any corner.”

On 07.12.2021 application filed by petitioner was allowed and legal heirs of deceased (Muhammad Abdul Latif) who passed away during these proceedings, were brought on record.

Since there is no objection from any corner, thus petition is accordingly granted subject to the condition that the property is free from all encumbrances. Let the Letter of Administration be issued in accordance with the Rules.

Be that as it may, custodian(s) of the record of rights is/are required to act strictly in accordance with law. In case, the title of subject matter property is under clouds in any manner or under adjudication by any Court of law, the Custodian(s) shall not be influenced by the order of this Court.

J U D G E