

**ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI**

S.M.A. No.76 of 2022

In the matter of
Deceased Muhammad Ishaq Arshad
Amina Sajid (petitioner)

Date	Order with signature of Judge
------	-------------------------------

For orders on CMA 2726

Dated: 11.11.2022

Mr. Irfan Mir Halepota for petitioner.

-.-.-

Although petitioner has moved urgent application for fixation of this petition for Letters of Administration, however, he has also called all the legal heirs of the deceased hence urgent application is granted and the main petition is taken up.

Petitioner Amina Sajid has applied for grant of Letter of Administration in respect of estate (described in Schedule of Property) of her father late Muhammad Ishaq Arshad, which is House No.107/1, 8th Commercial Street, Phase 4, DHA, Karachi, measuring 300 sq. yards. He is shown to have died intestate on 22.02.2020. Death certificate is attached at Page 9 of the file. Petitioner states that the deceased left behind legal heirs named in paragraph 4 of the petition as his surviving legal heirs. However, out of those legal heirs, legal heir No.4 Israr Mahmood Arshad also died on 25.06.2020 whose death certificate is attached at page 15 of the file. His legal heirs are mentioned in paragraph 5 of the petition. Petitioner also applied to NADRA for issuance of Letters of Administration but it was declined vide letter dated 18.11.2021.

In support of the instant SMA, photocopy of FRCs of both the deceased i.e. father and son are attached at Pages-13 and 19 respectively which reflects that those listed in paragraph 4 and 5 of the petition are the surviving legal heirs of the deceased persons.

The title documents of the subject property were verified through concerned authorities, as is mentioned in the diary sheets of Additional Registrar, and such letters are available on record.

Petitioner who is also present in Court has filed her affidavit to the effect that the deceased persons had no other legal heir except

those stated in paragraph 4 and 5 of the petition. Legal heirs Munawar Sultana Israr, Muhammad Khurram Israr and Ahsan Israr Arshad have also filed their affidavits in favour of the petitioner confirming the contents of the petition. They are also present in person. Remaining legal heirs namely Zeenat Aslam, Abrar Mehmood Arshad and Shoaib Arshad Mahmood have filed their respective Power of Attorneys in favour of petitioner.

Two witnesses namely (1) Salman son of Abdul Hafeez and (2) Muhammad Ajmal son of Mashkooor Ahmed have also filed their duly sworn affidavits to the effect that the deceased persons had left behind only the above mentioned legal heirs. They are also present in person and confirm the contents of their affidavits.

The publication in the present matter has been made in daily "Jang", Karachi dated 28.07.2022 inviting the objections, but none has come forward to contest this S.M.A.

Since the petitioner is one of the legal heirs of the deceased and despite publication in widely circulated newspaper, nobody has appeared to raise any objection, I see no impediment in granting this petition, which is accordingly allowed. Let the Letter of Administration be issued in respect of the immovable property left by the deceased, as mentioned in the Schedule of Properties, in favour of the petitioner upon proper verification, identification and performing all codal formalities.

Judge