

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

SMA 87 of 2023

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Order with signature of Judge(s)

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For hearing of main petition.

**24.01.2024**

Mr. Shafqat Ali Sahito, advocate for the petitioner.  
Ms. Noor Shahbaz, Petitioner.  
Mr. Shahdab Shahbaz (Minor), Legal Heir 2.  
Mr. Zayan Shahbaz (Minor), Legal Heir 3.  
Mr. Ayyan Shahbaz (Minor), Legal Heir 4.  
Mr. Younus Ahmed, Legal Heir 5.  
Ms. Zain Yoiunus, Legal Heir 6.  
Mr. Muhammad Shoaib, Witness 1.  
Syed Sohail Arab, Witness 2.

Per the Report / Order dated 11.01.2024 of the Deputy Registrar (OS) ("Report"), he has satisfied himself that all requisites to the hearing of the main petition, including its publication, have been fulfilled and no objection thereto has been received, therefore, the main petition shall be determined in terms herein.

This is a petition under Sections 278 and 372 of Succession Act, 1925, praying for Letters of Administration and Succession Certificate in respect of the estate of late Shahbaz Younus ("Deceased"), who passed away intestate at Karachi on 15.10.2023. Per the Report, the Deceased is survived by six legal heirs and the death certificate, form 'B' and the family registration certificate are recorded as having been examined by the Deputy Registrar.

The estate of the deceased comprises of three immovable properties, bank accounts and motor vehicles. The Report records that the title documents and bank statements in respect of the estate have been seen/verified by the Deputy Registrar / Nazir. The Report also catalogues that publication in respect hereof was undertaken in daily Jang, Karachi on 14.12.2023 and that no objection of any sort whatsoever has been received in this regard.

All six legal heirs of the Deceased, including the petitioner, are present in Court today. The Report shows that an application seeking the appointment of the petitioner as guardian ad litem for the minor legal heirs has already been granted. The legal heirs have already submitted signed affidavits seeking the grant of the present petition as prayed. The two witnesses are also present in Court and have confirmed the contents of their affidavits filed herein.

In view of the foregoing, it appears that all the requisites have been completed to the satisfaction of the Deputy Registrar and there appears to be no impediment to the grant hereof, therefore, this petition is hereby allowed. The office is directed to issue a letter of administration, in respect of the immovable properties recorded in the Report, and a succession certificate, in respect of the moveable properties recorded in the Report, as per Rules.

Learned counsel submits on oral motion that the petitioner may be permitted to deposit the original/verified title documents of the immovable properties as security for the grant of the letter of administration as it would be virtually impossible to secure the said instrument through any other means. The request appears to be reasonable and is hereby granted.

This petition stands allowed in terms herein contained.

Judge

Khuhro/PA