

**ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
S.M.A. 20 of 2024**

Date	Order with signature of Judge(s)
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For hearing of main petition

12.09.2024

Mr. Zainul Abidin, advocate, for the petitioner along with
2nd witness Mr. Muhammad Yahya CNIC No. 42201-7793751-5

Per order dated 29.08.2024 read with Report / Orders dated 21.03.2024 and 07.08.2024 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 Section 278 of the Succession Act, 1925, praying for Letter of Administration in respect of the estate of late Naseema Begum ("Deceased"). Per the Report, the Deceased expired on 01.01.2018 at Karachi and that the petitioner and legal heirs No.1 to 7 are the legal heirs of the deceased. The legal heirs no. 1, 2, 4 to 7 have executed their power of attorneys in favour of the petitioner/ legal heir No.8. Since legal heir No.3 Masood Tariq Baghpati passed away on 24.02.2020, per report his legal heirs a, c, d and e have executed their power of attorneys in favour of legal heir No.3 (b). The death certificate and family registration certificate are stated to have been examined by the Deputy Registrar and are also available on file. The Report records the affidavits of two witnesses, which are also on file. The Report further records that estate of the deceased comprised (01) immovable property, copies of title documents whereof are available on file, while the original in such regard was seen and returned. The Report also records that the publication of the main petition had been effected in the daily Jang, Karachi dated 06.03.2024 but no objection has been received from any corner in such regard. The Report demonstrates that after having satisfied himself with the completion of the requirements, the Deputy Registrar has forwarded the matter for hearing of the main petition.

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 property recorded in the Report, as per Rules.

Learned counsel submits on oral motion that the petitioner may be permitted to deposit the original title documents of the immovable property 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