

ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI



MA NO.101/2022

Date

Order with signature of Judge

01.12.2022

Mr. Altaf Hussain advocate for applicant.  
.....

Ms. Farida Mangrio and Ms. Farkhunda Mangi file Vakalatnama on behalf of respondents No.2 and 6 respectively, taken on record.


At the outset learned counsel for respondent contends that in Suit for Administration bearing Civil Suit No.207/2018 preliminary decree was passed and subject matter property is yet to be transferred in favour of the legal heirs and for which succession certificate is required; appellant is seeking succession certificate. According to counsel for respondents with regard to properties left by Feroz Anjarwala succession certificate was allowed in SMA No.416/2018 and with regard to succession of Mst.Shireen trial court disposed of application on the plea that suit for administration is pending. Learned counsel for respective parties contend that succession will not affect upon the merits of the suit for administration.

Needless to mention that succession certificate is a summary proceedings and not a declaration of title in favour of any party and it is just formality to change the title in favour of legal heirs and authorities are required to proceed for foti khata badal in accordance with law; hence present civil appeal is allowed. Accordingly succession certificate shall be issued by the trial court in

- { 2 } -

favour of applicant with regard to the properties of Mst. Shireen as co-owner of subject matter property as contained in para-3 of the petition.

Disposed of.

  
JUDGE

IK