

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI.
S. M. A. No. 202 of 2017

DATE: **ORDER WITH SIGNATURE(S) OF JUDGE(S).**

For hearing of Main Application

13th October, 2017

Mr. Salim Merchant, Advocate for Petitioner along with Petitioner Rozina Merchant and Legal Heirs Basil Munir Noorwala and Ayma Munir (original CNICs seen and returned).

Witnesses Muhammad Iqbal and Muhammad Jaffer (original CNICs seen and returned) are present.

This is a petition for grant of Letter of Administration in respect of an immovable property, that is, 1/15th share in the Sub Plot No.II 1492.07 Square Feet or thereabouts on which Pent House No.2 on 14th Floor containing floor area of 1492.07 square feet or thereabout in the project known as ‘HAFSA SQUARE’; built on Plot No.9, situated at Block-3, Modern Cooperative Housing Society, Shaheed-e-Millat Road, Karachi, which was left as an estate by deceased Munir Noor Wala (hereinafter referred to as the “**Deceased**”), who died on 24.06.2015 leaving behind the legal heirs, whose names are given in paragraph-3 of the petition. Death Registration Certificate of Deceased issued by the concerned Authority is at page-9 (P/1). National Database and Registration Authority (“**NADRA**”) has issued a Family Registration Certificate, which is at page-11 (P/2), substantiating the fact about names of the legal heirs as mentioned in paragraph-3 of the petition. Petitioner has also filed Schedule of Immoveable Property mentioning therein that at the time of death, Deceased left the aforementioned property / estate. Indenture of Sub-Lease of property as supporting document is also enclosed with petition, which is available at page-19 (P/4) of the Court file, showing the property in the name of Deceased husband of the Petitioner.

Today Petitioner is present in person along with legal heirs; her son and daughter. Two independent attesting witnesses, namely, Muhammad Iqbal and Muhammad Jaffer, who are family friends of the Petitioner,

further confirm the contents of their respective affidavits supporting the present petition and confirming the fact that except the above legatees, no other legal heir is left out, who is entitled to a share in the estate left by the Deceased.

Report of the Deputy Registrar (O.S) is also available on record before whom Petitioner appeared along with Legal Heir No.2. Publication was made in newspaper daily 'Jang' in its issue of 29.07.2017, but no objector / objection has been received so far from any individual. Along with main petition, Petitioner has also filed an application Under Order XXXII, Rule 1 & 2 read with Section 151 of C.P.C. for her appointment as guardian ad-litem of minor baby Ayma Munir, which is also stands granted, in view of the above undisputed aspect of the case. To a specific query, Petitioner states that parents of the Deceased also passed away long time back.

Learned counsel for the Petitioner is directed to produce death certificate of parents of Deceased under his Statement in the Court on or before the next date of hearing.

The instant petition till date has remained non-contentious and in view of the above, is hereby granted subject to the provisions of Succession Act, 1925 and relevant Rules.

Riaz / P.S*

Judge