

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
S.M.A. No. 286 of 2017

Date	Order with Signature of Judge
	For hearing of Main Petition

15.12.2017

Mr. Abdul Qadir Khan, Advocate for Petitioner alongwith Petitioner, Legal Heirs Yasir Shaikh and Hafeez Mushtaq and Zarina Shaikh are present.

This is a Petition for Probate under Section 276 of the Succession Act 1925 in respect of a Will dated 15.04.2006 left by deceased / testator Maqsood Ahmed Shaikh in respect of one immovable property bearing **House No.D-6, Ist Gizri Lane, Phase-IV, DHA, Karachi** bequeathing the same in 3 (three) shares in the names of Navid Ahmed Shaikh (1/3rd share), Naushad Ahmed Shaikh (1/3rd Share) and Ms. Salma Shaikh and Ms. Fauzia Shaikh (both in 1/3rd Share equally) to the exclusion of the other legal heirs. The Petitioner (one of the legatee) is in attendance, whereas, the other legatees of the Will have executed Power of Attorney(s) duly attested in favour of the Petitioner, which are available on record in original. Insofar as other legal heirs of the testator are concerned they are not contesting the validity of this Will, and have rather sworn affidavits of no objection on the same date i.e. 15.04.2006 and have affirmed the execution of the Will in favour of other legal heirs/ legatees. The requirement of Section 281 of the Succession Act, 1925, also stands complied with to the extent that one of the witnesses of the will (Zarina Shaikh Widow of Maqsood Ahmed Shaikh, the executor)

has appeared before the Court today and has also sworn her Affidavit in support of the petition. Office has processed this Petition and publication was made in daily Jang Karachi on 18.10.2017 but none has objected.

In the circumstances, since this is a non-contentious matter, there appears to be no impediment in granting this Succession Petition and accordingly the same is allowed. Office is directed to issue Letter of Probate as per Rules against surety.

Judge

Ayaz