

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI

SMA No. 425 of 2018

Date	Order with signature of Judge
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BEFORE:
Mr. Justice Arshad Hussain Khan.

Roshan Begum Petitioner
Muhammad Noman MalikDeceased.

12.04.2019.

Mr. Asjad Sattar, advocate for the petitioner alongwith
petitioner and the witnesses.

ARSHAD HUSSAIN KHAN, J.- The petitioner through the instant SMA seeks grant of letter of administration in respect of immovable property left by deceased Muhammad Noman Malik s/o Muhammad Naeem Malik, who died on 06.08.2018 at Karachi. The deceased died intestate and at the time of her death left behind the following legal heirs:-

Sr. No.	Name	Relation	Age
1	Roshan Begum (Petitioner)	Widow	48
2	Amna Noman Malik (Minor)	Daughter	14

2. Legal heir No. 1 is the petitioner and wife of deceased while at serial No.2 is the daughter of the deceased. The affidavits of two independent witnesses namely, (1) Muhammad Mukhtar ul Haq son of Siraj ul Haq and (2) Muhammad Syed Alam son of Syed Riast Hussain are also available on record, which support the case of the petitioner. Record also reflects that legal heir at serial No.2 is minor daughter of deceased and upon application of the petitioner the Deputy Registrar (O.S.) appointed the petitioner being real mother as guardian-ad-Litem of minor daughter Amna Noman Malik.

3. Record also shows that the publication of the main petition has been effected in “**Daily Jang**” Karachi dated 21.2.2019 but none has appeared and filed any Objection in this regard. Hence,

the matter has emerged as non-contentious one, therefore, in my opinion, there is no legal impediment to grant the present SMA. Accordingly, this SMA is allowed as per rule. However, since this matter is non-contentious one, therefore, the petitioner would be at liberty to deposit the original title documents of the immovable property of the subject proceedings as surety for issuance of Letter of Administration.

The instant SMA is disposed of.

JUDGE

M. Tahir/PA.