

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
SMA No.75 of 2019

Date	Order with signature of Judge
------	-------------------------------

BEFORE:
Mr. Justice Arshad Hussain Khan.

Mst. Zubaida Petitioner

Sheikh Amanullah Khan Deceased.

24.04.2019

Mr. Waheed Hussain, advocate for the petitioner
a/w Uzair Ali advocate .

ARSHAD HUSSAIN KHAN, J.- The petitioner through the instant SMA seeks grant of letter of administration and succession certificate in respect of movable properties left by deceased Sheikh Amanullah Khan who died intestate on 27.12.2017 at Karachi leaving behind the following legal heirs:-

1.	Mst. Zubaida (petitioner)	Widow
2.	Sheikh Mohammad Zahid Khan	Son
3.	Mohammad Ali Khan	Son
4.	Rabia Fazal Ameen	Daughter
5.	Maryam Khan	Daughter

2. In the present petition, the surviving legal heir No.1 above is widow and the petitioner as well. The legal heirs No.2 to 5, sons and daughters of the deceased, have filed their respective affidavits of No Objection to grant of present petition in favour of petitioner.

3. The affidavits of two independent witnesses namely; (1) Muhammad Yaqoob son of Fazal Khan and (2) Muhammad Ali son of Muhammad Yousuf Butt are also available on record, which support the contents of the petition.

4. The legal heirs and the independent witnesses present in Court have admitted and acknowledged the contents of their respective affidavits of No Objection in favour of the petitioner.

5. A report of Deputy Registrar (O.S) is also available on record with regard to the proceedings before him.

6. The deceased at the time of his death left behind movable property, detail whereof is mentioned in the Schedule of Property (at Page21). Record also shows that the publication of the main petition has been affected in "Daily Jang Karachi dated 11.03.2019 but none has appeared and filed any objection in this regard. Hence, the matter emerged as non-contentious one, therefore, in my opinion there is no legal impediment to grant the present SMA. Accordingly, this SMA is allowed. Let succession certificate be issued upon execution of P.R. Bond in the like amount to the satisfaction of Nazir of this Court.

SMA No.75 of 2019 is allowed in above terms.

JUDGE

MUSHARRAF ALI P.A