

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
SMA 68 of 2020

Order with signature of Judge

For hearing of main petition

04.03.2020.

Ms. Amna Usman, Advocate for the petitioner.

Ms. Atiya Khalid, legal heir 1.

Mr. Fouz Khalid, legal heir 2/petitioner.

Ms. Sara Mumtaz Malik, legal heir 4.

Mr. Muneeb Aamir, witness.

Mr. Aamir Jameel, witness.

Agha Faisal J. Per the report of the Deputy Registrar (O.S.) dated 27.02.2020 ("Report") all requirements in respect hereof have been completed and publication has also been effected, to which no objections have been received. Petitioner/legal heir 2, legal heirs 1, and 4 and witnesses are present in Court. Those present reaffirm contents of the petition and the affidavits. Legal heirs 3 is being represented by the petitioner/legal heir 2 in view of her general power of attorney, which has already been seen and taken into consideration by the Deputy Registrar per the Report.

In view hereof, it appears that this is a non-contentious matter and there is no impediment to the grant hereof, hence, this petition is allowed. The office is directed to issue letters of administration, in respect of asset identified per the Report, as per Rules.

Learned counsel on oral motion submits that the petitioner may be allowed to deposit the original title deeds of the property subject to administration, as the petitioner is unable to secure the grant of letter of administration by any other means. It is further argued that the security sought to be deposited would adequately secure the interest of the legal heirs and may be returned by the Nazir only after the mutation/transference has already taken place. The legal heirs present support the request. In view hereof, the request made appears reasonable and is hereby allowed. The petitioner may submit the original title documents of the property as security, with the Nazir of this Court and in addition thereto also file P.R. bond to the satisfaction of the Nazir of this Court.

J U D G E