

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
S.M.A. No. 12 of 2021

Date	Order with signature of Judge
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For hearing of main petition.

25.02.2021

Mr. Muzammil Iqbal Qazi, advocate for petitioner.

Through the instant petition, petitioner Hasan Jamil has prayed for the grant of Succession Certificate and Letter of Administration in respect of moveable and immoveable properties/assets, details whereof are mentioned in the Schedule of Properties attached with the memo of petition, available at page 23, which were left by his deceased father, namely, Jamil Ahmed, who allegedly died on 2nd March, 2018 at Karachi, leaving behind him five legal heirs, details whereof are mentioned in paragraph No. 5 of the memo of petition. Out of them, legal heir No. 2 is a lunatic person, who is being represented by his brother/petitioner, who has been appointed as his Guardian vide order dated 16th November, 2019 passed by the learned VIIIth Additional District & Sessions Judge, Karachi-South in Lunatic Petition No. 3 of 2019 (photostat copy of certified true copy of said order is annexed as annexure “E” at page 75-79 of the memo of petition). Original Death Certificate of deceased as well as photostat copies of Family Registration Certificate, issued by the NADRA, title documents of the immovable properties and Account Balance Statements/ Statements of Account, are also filed at page 19, 21 and 29 to 49.

Legal heirs No. 1, 3 & 4 have filed their Affidavits of No-Objection for the grant of Succession Certificate and Letter of Administration in favour of the petitioner/legal heir No.5, which are available on record.

Two witnesses, namely, Khalil-ur-Rehman and Khursheed Ahmed have also filed their respective affidavits and affirmed that there is no other legal heir of the deceased except mentioned above. Their affidavits are also available on record.

Notice of this petition was published in Daily "Jang" Karachi & Rawalpindi dated 20th January, 2021; however, none has filed any objection to the grant of Succession Certificate and Letter of Administration to petitioner, as per the report submitted by the Deputy Registrar (OS) on 11th February, 2021.

Today petitioner and legal heirs No. 1, 3 & 4 as well as above named witnesses are present. They affirm the contents of memo of petition as well as their affidavits and also verify their signatures made thereon.

Since all the legal formalities/requirements have been fulfilled, there is no impediment in grant of Succession Certificate and Letter of Administration to petitioner, therefore, the petition is allowed. The office is directed to issue Succession Certificate and Letter of Administration in respect of movable and immovable properties/assets shown in the Schedule of Properties, as per rules.

J U D G E

Athar Zai