

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
S.M.A. No. 18 of 2019

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

13.02.2019

Mr. Kausar Ali Shar, advocate for petitioner.

Through the instant petition, Petitioner Muhammad Hussain s/o. Haji Moosa has prayed for the grant of Letter of Administration in respect of immovable property/asset, details whereof are mentioned in the Schedule of Property attached with the memo of petition, available at page 17, which was left by his deceased son, namely, Muhammad Anwar, who allegedly died on 18.04.2015 at Karachi, leaving behind (1) Muhammad Hussain (father/petitioner), (2) Mst. Khadija (mother), (3) Mst. Mehmooda Anwar (widow), (4) Sami Anwar (son), (5) Ayesha Anwar (daughter), (6) Mohib Anwar (son), (7) Fatima Anwar (daughter) and (8) Urwa (daughter) as his legal heirs. Original Death Certificate of deceased as well as photostat copies of Family Registration Certificate and B-Form, issued by the NADRA and title documents of the immovable property are also filed at page 9, to 15 and 27 to 83.

Legal heirs No. 2 to 4 have filed their affidavits of no objection for the grant of Letter of Administration in favour of the petitioner, while legal heir No. 2 has also executed Special Power of Attorney, duly attested by the Oath Commissioner at Karachi in favour of the petitioner, who has also filed affidavit of no objection on her behalf for the grant of Letter of Administration in his favour. So far legal heirs No. 5 to 8 are concerned, they are minors, who

are being represented by their mother/legal heir No.3, who has been appointed as their Guardian-ad-Litem.

Two witnesses, namely, Muhammad Dawood and Abdul Qadeer both sons of Muhammad Hussain 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 dated 20.01.2019; however, none has filed any objection to the grant of Letter of Administration to petitioner, as per the report submitted by the Deputy Registrar (OS) on 31.01.2019.

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

Since all the legal formalities/requirements have been fulfilled, there is no impediment in grant of Letter of Administration to petitioner, therefore, the petition is allowed. The office is directed to issue Letter of Administration in respect of immovable property/asset shown in the Schedule of Property, as per rules.

J U D G E

Athar Zai