

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
S.M.A. No. 25 of 2021

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

12.02.2021

Mr. Muhammad Aleem, advocate for petitioner.

At the very outset, learned counsel for the petitioner states that due to inadvertence the word “Phase-V” could not be mentioned in the Schedule of Property filed alongwith the memo of petition; therefore, he files Amended Schedule of Property, which is taken on record.

Through the instant petition, petitioner Mir Arif Mahmood has prayed for the grant of Letter of Administration in respect of immovable property/asset, details whereof are mentioned in the Schedule of Property filed today by the learned counsel for the petitioner, which was left by his deceased father, namely, Mir Masood Mahmood, who allegedly died on 17th November, 2019 at Karachi, leaving behind him two legal heirs, details whereof are mentioned in paragraph No. 2 of the memo of petition. Original Death Certificate of deceased as well as photostat copies of Family Registration Certificate, issued by the NADRA and title documents of the immovable property are also filed at page 11, 13 and 23 to 43.

Legal heir No.2 has executed General Power of Attorney duly authenticated by the Counsellor in the High Commission for Pakistan at Canberra, Australia, in favour of the petitioner, who has filed Affidavit of

No-Objection for the grant of Letter of Administration in his favour on her behalf, which is available on record.

Two witnesses, namely, Muhammad Asif and Khayal Muhammad 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 15th January, 2021; 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 4th February, 2021.

Today petitioner 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 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 Amended Schedule of Property filed today by the learned counsel for the petitioner, as per rules.

J U D G E

Athar Zai

