

ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI  
S.M.A. No. 93 of 2017

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

05.11.2018

Mr. Sohail Saeed, advocate for petitioner.

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Through the instant petition, Petitioner Mrs. Asma Akbar has prayed for the grant of Succession Certificate and Letter of Administration in respect of moveable and immovable properties/assets, details whereof are mentioned in the Schedule of Properties attached with the memo of petition, available at page 27, which were left by her deceased mother, namely, Mahjabeen Sarfaraz widow of Syed Sarfaraz Ahmed, who allegedly died on 06.02.2014 at Karachi, leaving behind (i) Syed Imran Ahmed (son), (ii) Mrs. Farah Jabeen (daughter), (iii) Mrs. Uzma Jabeen (daughter), (iv) Mrs. Asma Akbar (daughter/petitioner), (v) Mrs. Saima Afzal (daughter) and (vi) Mrs. Maheen Hassan (daughter) as her legal heirs. Original Death Certificate of deceased as well as photostat copies of Family Registration Certificate, issued by the NADRA, title documents of the immovable property and bank statements are also filed at page 19 to 25 and 35 to 45.

Legal heirs No. (i) and (v) have filed their affidavits of No objection for the grant of Succession Certificate and Letter of Administration in favour of the petitioner. Likewise, legal heirs No.(ii) and (vi) have also filed their affidavits of No objection for the said purpose, duly attested by the Second Secretary in the Embassy of Pakistan at Riyadh, Saudi Arabia and Notary Public at Lahore, respectively, while legal heir No. (iii) has executed General

Power of Attorney in favour of the petitioner, duly attested by the Attache in the Consulate General of Pakistan at Houston, USA.

Two witnesses, namely, Syed Hussain Akbar s/o. Syed Iltifat Kamal Akbar and Muhammad Ashraf s/o. Abdul Rehman 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 17.05.2018; 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 16.08.2018.

Legal heirs No. (i) and (v) as well as witnesses have appeared before this Court on 19.09.2017 and 28.09.2018. They affirmed the contents of their affidavits and also verified their signatures 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