

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
S.M.A. No. 105 of 2018

Date Order with Signature(s) of Judge(s)

For hearing of main petition.

18.05.2018

Mr. Khalid Waheed, Advocate for petitioner.

In compliance of order dated 20.04.2018, learned counsel for the petitioner, through a statement dated 12.05.2018, has filed sale deed of the property situated in Texila, Punjab, registered in favour of deceased Nasreen Piracha on 29.04.1993. He states that since original Allotment Order of the subject property was lost, the petitioner obtained duplicate thereof, which was issued to him on 27th February, 2018; however, in respect of the subject property sale deed was executed in favour of the deceased in the year 1993.

Through the instant petition, Petitioner, Anwar-ul-Haq Piracha has prayed for the grant of Letter of Administration in respect of immovable properties/assets, details whereof are mentioned in the Schedule of Properties attached with the memo of petition, available at page 25, which were left by his deceased wife, namely, Nasreen Piracha, who died on 28.08.2010 at Karachi, leaving behind (i) Anwar-ul-Haq Piracha (petitioner), (ii) Muhammad Owais Piracha and (iii) Muhammad Sheharyar Piracha as her legal heirs. Original Death Certificate of deceased as well as photostat copies of Family Registration Certificate, issued by the NADRA and title documents of the immovable properties are also filed at page 21, 23 and 33 to 49 of the memo of petition as well as page No. 9 to 19 of the statement dated 15.05.2018.

All the legal heirs have filed their affidavits of no objection for the grant of Letter of Administration in favour of the petitioner.

Two witnesses, namely, Imtiaz Piracha s/o. Riaz Piracha and Ghulam Fareed Piracha s/o. Saeed 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 dated 10.03.2018; 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 29.03.2018.

Today above named legal heirs and witnesses are present and affirm the contents of 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 properties/assets shown in the Schedule of Properties, as per rules.

J U D G E

Athar Zai