

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
S.M.A. No. 119 of 2017

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

30.10.2018

Syed Asad Ali Shah, advocate for petitioner.

Through the instant petition, Petitioner Mehmooda Akhtar Awan has prayed for the grant of Letter of Administration in respect of immoveable property/asset, details whereof are mentioned in the Schedule of Property attached with the memo of petition, available at page 21, which was left by her deceased husband, namely, Muhammad Ahmed Siddiqui s/o. Fari-ud-din, who allegedly died on 07.01.2015 at Karachi, leaving behind (i) Mehmooda Akhtar Awan (widow/petitioner), (ii) Muneeza Khan (daughter), (iii) Reema Siddique (daughter) and (iv) Muhammad Bilal Ahmed Siddiqui (son) as his 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 property are also filed at page 17, 19 and 27 to 32.

Legal heir No. (iii) has filed her affidavit of no objection for the grant of Letter of Administration in favour of the petitioner, while legal heir No.(ii) has also filed her affidavit of no objection for the grant of Letter of Administration in favour of the petitioner duly attested by the Notary Public at the State of Tennessee, Shelby County, USA. They have also executed Special Power of Attorney, duly attested by the Notary Public at Karachi in favour of the legal heir No.(iv).

Two witnesses, namely, Tarique Talha Farooq Khan s/o. Abdul Hamid Khan and Ammar Shabbir s/o. Shabbir Moiz Jangbarwala 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 26.04.2017; 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 18.05.2017.

Legal heir No.(iv) and witnesses have appeared before this Court on 10.10.2017 and 09.05.2018. 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 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