

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
S.M.A. No. 121 of 2021

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

01.04.2021

Mr. Muhammad Ilyas Khan Tanoli, advocate for petitioner.

Through the instant petition, petitioner Mrs. Areeba Rehman 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 19-23, which were left by her deceased father, namely, Rashid Usman Ali Khan, who allegedly died on 13th April, 2020 at Karachi, leaving behind him three legal heirs, details whereof are mentioned in paragraph No. 3 of the memo of petition. Original Death Certificate of deceased as well as photostat copies of Family Registration Certificate, issued by the NADRA, title documents of the immovable property, Behbood Saving Certificates, Regular Income Certificates and documents of vehicle are also filed at page 13, 17 and 27 to 71.

Legal heir No. 2 has filed his Affidavit of No-Objection for the grant of Succession Certificate and Letter of Administration in favour of the petitioner/legal heir No.1, while legal heir No. 3 has executed Power of Attorney duly authenticated by the Notary Public at Karachi in favour of the petitioner, who has filed such Affidavit of No-Objection on his behalf, which are available on record.

Two witnesses, namely, Nadeem Shabahat Khan and Najeeb Shabahat Khan 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 9th March, 2021; 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 25th March, 2021.

On 23rd February, 2021 legal heir No. 2 appeared before this Court, while petitioner and above named witnesses have appeared today. All have affirmed the contents of memo of petition as well as their respective affidavits and also verified their signatures made 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

Athar Zai