

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
S.M.A. No. 132 of 2020

Date

Order with signature of Judge

For hearing of main petition.

10.09.2020

Mr. Muhammad Ibrahim Azmi, advocate for petitioner.

Learned counsel for the petitioner at the very outset states that the subject property is situated in Progressive Square; however, inadvertently the said area could not mentioned in the Schedule of Property; hence, he seeks permission to mention the same in the description of Schedule of Property. Permission is accorded.

Through the instant petition, petitioner Zaidi Tufail Scheik has prayed for the grant of Letter of Administration in respect of immovable 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 his deceased sister, namely, Mst. Lubna Scheik, who allegedly died on 26.07.2008 at Karachi, leaving behind (1) Aabid Sheikh (brother), (2) Naaz Scheikh (brother), (3) Zaidi Tufail Scheik (brother) and (4) Saad Shaikh (brother) 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 15, 19 and 29 to 61.

Legal heir No. 4 has filed his Affidavit of No-Objection for the grant of Letter of Administration in favour of the petitioner, while legal heirs No. 1 & 2 have executed Special Power of Attorney duly attested by the Hon. Consul General in the Consulate General of Pakistan at Rocky Hill, Connecticut, USA in favour of the petitioner, who has filed his Affidavits of No-Objection on their behalf for the grant of Letter of Administration in his favour.

Two witnesses, namely, Laiq Muhammad Khan s/o. Lateef Muhammad Khan and Shariq Laiq s/o. Laiq Muhammad 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 12.03.2020; 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 27.08.2020.

Today petitioner, for himself as well as on behalf of legal heirs No. 1&2, being their Attorney, and 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 Schedule of Property, as per rules.

J U D G E

Athar Zai