

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
S.M.A. No. 140 of 2020

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

13.10.2020

Mr. Tahmasp R. Razvi, Advocate for petitioner.

Through the instant petition, petitioners/legal heirs No. 1 to 5, namely, Ashfaque Ahmed Memon, Wardah Taha Memon, Saira Hamayun Mughal, Muhammad Arshaque Memon and Muhammad Aflah Memon have 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 41 to 45, which were left by his deceased mother, namely, Mrs. Bilquees Memon wife of Ashfaque Ahmed Memon, who allegedly died on 11th February, 2019 at Karachi, leaving behind the petitioners No. 1 to 5, as her legal heirs, who are widower, daughters and sons of the said deceased. Original Death Certificate of deceased as well as photostat copies of Family Registration Certificate, issued by the NADRA, title documents of the immovable properties, bank statements and Saving Certificates are also filed at page 25,39 and 57 to 327.

Petitioners/legal heirs No. 4 & 5 have filed their Affidavits of No-Objection for the grant of Succession Certificate and Letter of Administration in favour of the petitioner No.1, while petitioners/legal heirs No. 1 to 3 have executed General Power of Attorney duly authenticated by the First Secretary in the Consulate General of Pakistan at Melbourne, Australia and Notary Public at Karachi in favour of the petitioner/legal heir

No.4, who has also filed Affidavits of No-Objection for such purpose on their behalf.

Two witnesses, namely, Vaqar Ahmed Patoli s/o. Ali Ahmed Patoli and Yasir Noor s/o. Noor Muhammad 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 4th September, 2020; 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 17th September, 2020.

Today petitioners/legal heirs No. 4 & 5 as well as 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 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 favour of petitioner/legal heir No. 1 in respect of movable and immovable properties/assets shown in the Schedule of Properties, as per rules.

J U D G E

Athar Zai

