

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
S.M.A. No. 208 of 2021

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

19.05.2021

Ms. Zahrah Sehr Veyani, advocate for petitioner.

Through the instant petition, petitioner Ms. Anum Tariq 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 pages 23-27, which were left by her deceased brother, namely, Tariq Dada, who allegedly died on 26th January, 2021 at Karachi, leaving behind him five legal heirs, details whereof are mentioned in paragraph No. 6 of the memo of petition. Original Death Certificate of deceased issued by the Secretary Union Committee No. 2, Manzoor Colony No. 1, Jemshed Zone, District East, Karachias well as photostat copies of Family Registration Certificate, issued by the NADRA, title documents of the immovable properties, bank statements, and registration documents of vehicles are also filed at page 15, 21 and 35 to 101.

Legal heirs No. 1 and 3 to 5 have filed their Affidavits of No-Objection for the grant of Succession Certificate and Letter of Administration duly sworn before Assistant Registrar, Affidavit and Identity Branch of this Court and also executed Special Power of Attorney duly authenticated by the Notary Public at Karachi in favour of the petitioner/legal heir No.2, which are available on record.

Two witnesses, namely, Muzammil Lakhia and Ameer Hamza Dada 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 29th 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 15th April, 2021.

Today petitioner 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 respect of movable and immovable properties/assets shown in the Schedule of Properties, as per rules.

At this juncture, learned counsel for the petitioner states that since no one has come forward to raise objection for the grant of this petition, the petitioner may be exempted from furnishing requisite securities/sureties for issuance of Letter of Administration and permitted to deposit title documents of the immovable properties mentioned in the Schedule of Properties for the grant of Letter of Administration.

Looking to the fact that despite publication in newspaper none has raised any objection for the grant of Letter of Administration in favour of the petitioner, the request is allowed. Nazir is directed to accept original title documents of the subject properties as surety for issuance of Letter of Administration.

J U D G E

Athar Zai