

ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI  
S.M.A. No. 226 of 2020

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Date

Order with signature of Judge

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For hearing of main petition.

24.09.2020

Mr. Ali Azam, advocate for petitioner.

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Through the instant petition, petitioner Mst. Rubina Hyder Naqvi has prayed for the grant of Succession Certificate in respect of moveable properties/assets, details whereof are mentioned in the Schedule of Properties attached with the memo of petition, available at page 31 to 37, which were left by her deceased husband, namely, Syed Hyder Abbas Naqvi s/o. Syed Mshooq Hussain Naqvi, who allegedly died on 11.04.2020 at Karachi, leaving behind (1) Mst. Rubina Hyder Naqvi (widow/petitioner), (2) Syed Muhammad Ammar Hyder Naqvi (son), (3) Hoorah Hyder Naqvi (daughter), (4) Syed Muhammad Ali Abbas Naqvi (son) and (5) Aiman Hyder (daughter) as his legal heirs. Original Death Certificate of deceased as well as photostat copies of Family Registration Certificate, issued by the NADRA, Defence Saving Certificates, Regular Income Certificates, Behbood Saving Certificates and withdrawal & deposit slips of National Saving Centers are also filed at page 27, 29 and 43 to 119.

Legal heir No. 2 has filed Affidavit of No-Objection for the grant of Succession Certificate in favour of the petitioner duly sworn before Head of Chancery in the High Commission for Pakistan at Wellington, New Zealand on 10<sup>th</sup> July, 2020, while legal heirs No. 3 to 5 have filed such affidavits duly sworn before Assistant Registrar, Affidavit and Identity Branch of this Court on 30<sup>th</sup> July, 2020, which are available on record.

Two witnesses, namely, Muhammad Ali Khan s/o. Muhammad Baqar Kazim Khan and Ghulam Muhammad RAza s/o. Shakeel Haider 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 22.08.2020; however, none has filed any objection to the grant of Succession Certificate to petitioner, as per the report submitted by the Deputy Registrar (OS) on 10.09.2020.

Today petitioner and legal heirs No. 2 to 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 to petitioner, therefore, the petition is allowed. The office is directed to issue Succession Certificate in respect of movable properties/assets shown in the Schedule of Properties, as per rules.

J U D G E

Athar Zai