

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
S.M.A. No. 233 of 2021

Date	Order with signature of Judge
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For orders on C.M.A. No. 1384/2021.

27.05.2021

Mr. Amir Saleem, advocate for petitioner.

Learned counsel for the petitioner pleads urgency and requests for taking up the matter today, on the ground that all the legal heirs of the deceased and witnesses are present today before the Court, out of them one legal heir studies in France and he has to go to join his university. Urgency application is allowed and the matter is taken up for hearing of main petition.

Through the instant petition, petitioner Munbeeb Khalid has prayed for the grant of Succession Certificate in respect of moveable properties/assets, details whereof are mentioned in the Amended Schedule of Properties attached with the memo of petition, available at page 15, which were left by his deceased father, namely, Khalid Ahmed s/o. Abdul Rahim Gandhi, who allegedly died on 22nd February, 2021 at Karachi, leaving behind him four legal heirs, details whereof are mentioned in paragraph No. 3 of the memo of petition. Original Death Certificate of deceased issued by the Secretary, Union Committee-12, DMC West-Karachi as well as photostat copies of Family Registration Certificate, issued by the NADRA, bank statements and Behbood Saving Certificates are also filed at page 11, 13 and 19 to 43.

Legal heirs No. 1 to 3 have filed their Affidavits of No-Objection for the grant of Succession Certificate in favour of the petitioner/legal heir No.4, which are available on record.

Two witnesses, namely, Abdul Wahid Gandhi s/o. Abdul Rahim Gandhi and Faisal s/o. Muhammad Ismail 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 10th April, 2021; 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 6th May, 2021.

Today petitioner and legal heirs No. 1 to 3 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 Amended Schedule of Properties, as per rules.

J U D G E

Athar Zai