

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
S.M.A. No. 253 of 2020

Date

Order with signature of Judge

For hearing of main petition.

24.11.2020

Mr. Muhammad Naseer, advocate for petitioner.

Through the instant petition, petitioner Mustafa Abid Moosajee has prayed for the grant of Letter of Administration in respect of immoveable property/asset, details whereof are mentioned in the Schedule of Property attached with the memo of petition, available at page 13, which was left by his deceased father, namely, Abid Tayabali Moosajee, who allegedly died on 11th June, 2019 at Karachi, leaving behind him three (03) legal heirs, details whereof is mentioned in paragraph No. 5 of the memo of petition. 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 9, 11 and 19 to 29.

Legal heir No. 1 has filed her Affidavit of No-Objection for the grant of Letter of Administration in favour of the petitioner, while legal heir No. 2 has executed Power of Attorney duly authenticated by the Notary Public at Islamabad in favour of legal heir No. 1, who has filed Affidavit of No-Objection for such purpose on her behalf, which are available on record.

Two witnesses, namely, Hasnain Ahmed Ali and Abbas Harianawalla 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 21st September, 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 8th October, 2020.

Today petitioner and legal heir No. 1 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 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