

ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI  
S.M.A. No. 240 of 2019

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Date

Order with signature of Judge

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For hearing of main petition.

07.12.2020

Ms. Noreen Shaikh, advocate for petitioner.

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In compliance of order dated 1<sup>st</sup> October, 2020, learned counsel for the petitioner through a statement dated 26<sup>th</sup> November, 2020 has filed Special Power of Attorney of the legal heir No. 3, namely, Farhana Saeed, duly authenticated by the Consular Attache in the Embassy of Pakistan at the Hague, Netherland, which is taken on record.

Through the instant petition, petitioner Hameeda Khalid 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 21, which was left by her deceased husband, namely, Khalid Basheer Ahmed, who allegedly died on 18<sup>th</sup> December, 1997 at Karachi, leaving behind him five (5) legal heirs, details whereof are mentioned in paragraph No. 3 of the memo of petition. Original Death Certificate of deceased issued by the Incharge Birth and Death Registration Section, S.M.C.H.S., K.M.C (East) Karachi 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 15, 17 and 27 to 35.

Legal heirs No. 2 to 5 have executed Special Power of Attorney in favour of the petitioner duly authenticated by the Notary Public at Rawalpindi, Attache in the Consulate General of Pakistan at Houston, Texas, U.S.A., Second Secretary in the Embassy of Pakistan at Abu Dhabi, UAE and Consular Attache in the Embassy of Pakistan at the Hague, Netherland.

Two witnesses, namely, Ahmed Bukhsh and Amjad Waheed 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 20<sup>th</sup> July, 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 24<sup>th</sup> September, 2020.

On 1<sup>st</sup> October, 2020 petitioner as well as above named witnesses appeared before this Court and affirmed the contents of memo of petition as well as their affidavits and also verified 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