

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
S.M.A. No. 260 of 2019

Date	Order with signature of Judge
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For order on CMA No. 1306/19.

17.07.2019

M/s. Saad Siddiqui and Arif Ansari, advocates for petitioner.

Urgency application is granted.

Through the instant petition, Petitioner Zulfiqar Ahmad Khan has prayed for the grant of Letter of Administration in respect of immovable properties/assets, details whereof are mentioned in the Schedule of Properties attached with the memo of petition, available at page 29, which were left by his deceased wife, namely, Ambreen Siddiqui, who allegedly died on 20.03.2019 at Karachi, leaving behind (1) Zulfiqar Ahmad Khan (husband/petitioner), (2) Sarah Zulfiqar (daughter), (3) Muhammad Khuresheed Khan (son), (4) Ayesha Zulfiqar (daughter) , (5) Ahmad Khuresheed Khan (son) and (6) Marium Zulfiqar (daughter) as her legal heirs. photostat copies of Death Certificate of deceased, Family Registration Certificate, issued by the NADRA and title documents of the immovable properties are also filed at page 17, 21 to 25, 31 and 33.

Legal heirs No. 2 and 3 have filed their affidavits of no objection for the grant of Letter of Administration in favour of the petitioner, while legal heirs No. 4 to 6 are minors, who are being represented by their father/petitioner, who has been appointed as their Guardian-ad-Litem.

Two witnesses, namely, Ghulam Abbas Shaikh s/o. Bawamian and Khurram Farooq s/o. Farooq Ahmad 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 24.05.2019; 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 30.05.2019.

Today petitioner, legal heirs No. 2 and 3 and above named witnesses are present. They affirm the contents of memo of petition and their affidavits and also verify their signatures 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 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 two securities/sureties for issuance of Letter of Administration and permitted to deposit title documents of the immovable properties mentioned in the Schedule of Properties, in lieu of surety.

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