

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
S.M.A. No. 261 of 2021

Date	Order with signature of Judge
------	-------------------------------

For orders on C.M.A. No. 1453/2021

03.06.2021

Ms. Shagufta Jabeen, advocate for petitioner.

Learned counsel for the petitioner pleads urgency and requests for taking up the matter. Urgency application is granted and consequently the matter is taken up for hearing.

Through the instant petition, petitioner Zia-ur-Rehman 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 15, which were left by his deceased mother, namely, Shakila Zafar, who allegedly died on 21st November, 2018 at Karachi, leaving behind her two sons, namely, Zia-ur-Rehman and Ahmed Farhan as her surviving legal heirs. Original Death Certificate of deceased issued by Secretary, Union Committee No. 27, Pehelwan Goth, Karachi-East as well as photostat copies of Family Registration Certificate, issued by the N.A.D.R.A. and bank statements are also filed at page 9, 13 and 17 to 27.

Legal heir No. 2 has filed his Affidavit of No-Objection for the grant of Succession Certificate in favour of the petitioner/legal heir No.1, which is available on record.

Two witnesses, namely, Babar Hussain and Zafaruallah Masood 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 19th 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 20th May, 2021.

Today petitioner and legal heir No. 2 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