

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
S.M.A. No. 267 of 2016

Date	Order with signature of Judge
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For hearing of main petition.

01.11.2018

Mr. Khalid Ejaz, advocate for petitioner.

Through the instant petition, Petitioner Ali Haider Mahomed has prayed for the grant of Succession Certificate and Letter of Administration in respect of moveable and immoveable properties/assets, details whereof are mentioned in the Schedule of Properties attached with the memo of petition, available at page 27-A to 31, which were left by his deceased father, namely, Shabbir Sultan Mahomed s/o. Sultan Hassan Ali Sher Mohamed, who allegedly died on 22.07.2013 at Karachi, leaving behind (i) Sabina Shabbir (widow), (ii) Ali Zaki (son) and (iii) Ali Haider (son/petitioner) as his legal heirs. Original Death Certificate of deceased as well as photostat copies of Family Registration Certificate, issued by the NADRA, title documents of the immovable properties, bank statements, Defence Saving Certificate, Share Certificates and documents of vehicles are also filed at page 9 to 27 and 35 to 125.

Legal heirs No. (i) & (ii) have filed their affidavits of no objection for the grant of Succession Certificate and Letter of Administration in favour of the petitioner.

Two witnesses, namely, Javed Abbas Sayani s/o. Akbar Ali and Muhammad Sadiq s/o. Younus Habib 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 13.04.2018; however, none has filed any objection to the grant of Succession Certificate and Letter of Administration to petitioner, as per the report submitted by the Deputy Registrar (OS) on 06.09.2018.

Today legal heirs No. (i) & (ii) and witnesses are present. They affirm the contents of their affidavits and also verify their signatures thereon. The petitioner is not present in Court; however, Special Power Attorney dated 22.01.2018 executed by him in favour of his mother/legal heir No.(i) duly attested by the Notary Public at Karachi has been filed.

Since all the legal formalities/requirements have been fulfilled, there is no impediment in grant of Succession Certificate and Letter of Administration to petitioner, therefore, the petition is allowed. The office is directed to issue Succession Certificate and Letter of Administration in respect of movable and immovable properties/assets shown in the Schedule of Properties, as per rules.

J U D G E

Athar Zai