

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
S.M.A. No. 272 of 2021

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

18.05.2021

Mr. Yousuf Molvi, Advocate for petitioner.

Through the instant petition, petitioner Mohammad Ashraf Hussein has prayed for the grant of Letter of Administration in respect of immovable property/asset, details whereof are mentioned in the Schedule of Property attached with the memo of petition, available at page 55, which was left by his deceased father, namely, Mohammad Hussein, who allegedly died on 4th July, 2004 at Pennsylvania, U.S.A., leaving behind him three legal heirs, namely, (1) Mrs. Salima Mohammad Hussein (widow), (2) Mohammad Ashraf Hussein (son/petitioner) and (3) Muhammad Asif Hussein (son), out of whom legal heirs No. 1 & 3 also expired on 13th February, 2014 and 6th November, 2020, respectively; therefore, legal heir of deceased legal heir No. 3, namely, Mrs. Asifa (widow) has been joined in this matter as legal heir No. 3(i). Original Death Certificate of deceased Mohammad Hussein issued by the State Registrar, Department of Health, Common Wealth of Pennsylvania, U.S.A. as well as photostat copies of Death Certificates of deceased Mrs. Salima Mohammad Hussein and Mohammad Asif Hussein, Family Registration Certificates, issued by the NADRA and title documents of the immovable property are also filed at page 27, 45, 49, 51, 53 and 65 to 123.

Legal heir No. 3(i) has filed her Affidavit of No-Objection for the grant of Letter of Administration in favour of the petitioner/legal heir No.2, which is available on record.

Two witnesses, namely, Muhammad Saeed Nawab Din and Arshad Mehmood Longi 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 20th April, 2021; 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 6th May, 2021.

Today petitioner and legal heir No. 3(i) 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