

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
S.M.A. No. 297 of 2018

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

14.02.2019

Mr. Abrar Hussain, advocate for petitioner.

Through the instant petition, Petitioner Mst. Farzana Ayaz Bari 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 Amended Schedule of Properties filed with a statement dated 11.02.2019, available in the case file, which were left by her deceased husband, namely, Mian Ayaz Bari s/o. Late Mian Ghulam Bari, who allegedly died on 22.05.2017 at Karachi, leaving behind (1) Mst. Farzana Ayaz Bari (widow/petitioner), (2) Mian Aijaz Bari (brother) and (3) Mst. Shahnaz Bari (sister) 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 and registration documents of the vehicle are also filed at page 13, 15, 35 to 67 and 89 to 107.

Legal heir No. 2 has filed his affidavit of no objection for the grant of Succession Certificate and Letter of Administration in favour of the petitioner, while legal heir No. 3 has also executed General Power of Attorney, duly attested by the First Secretary in the Embassy of Pakistan at Washington DC, USA in favour of legal heir No.2, who has also filed affidavit of no objection on her behalf for the grant of Succession Certificate and Letter of Administration in favour of the petitioner.

Two witnesses, namely, Pervez Umer s/o. Umar Ayub and Tariq Hameed s/o. Choudhry Abdul Hameed Khan 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 and Quetta as well as Daily Kawish Hyderabad dated 08.09.2018; 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 15.11.2018.

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 Amended Schedule of Properties filed with a statement dated 11.02.2019, as per rules.

J U D G E

Athar Zai