

ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI  
S.M.A. No. 310 of 2018

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

30.01.2019

Mr. Iftikhar Ahmed, advocate for petitioner.

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Through the instant petition, Petitioner Zafar-ul-Islam Malik 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 35, which were left by his deceased parents, namely, Muhammad Aslam Malik s/o. Malik Niaz Ali and Mst. Ghulam Fatima Malik, who allegedly died on 31.07.2010 and 26.01.2011, respectively, at Karachi, leaving behind (1) Zafar-ul-Islam Malik (son/petitioner), (2) Shaista Choudhry (daughter), (3) Maimoona Haider (daughter) and (4) Tauheed Akram (daughter) as their legal heirs. Original Death Certificates of both deceased as well as photostat copies of Family Registration Certificate, issued by the NADRA and title documents of the immovable properties are also filed at page 25, 27, 31 and 41 to 65.

Legal heir No. 3 has filed her affidavit of no objection for the grant of Letter of Administration in favour of the petitioner, while legal heirs No. 2 & 4 have executed Special Power of Attorney, duly attested by the First Secretary in the Embassy of Pakistan at Washington DC, USA, in favour of the petitioner.

Two witnesses, namely, Haider Ali Rizvi s/o. Akhtar Ali Khan and Raheel Masood s/o. Malik Maqsood Ahmed 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" Rawalpindi and Karachi dated 12.09.2018; 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 04.10.2018.

Today petitioner, legal heir No. 3 and above named witnesses are present. They affirm the contents of 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.

J U D G E

Athar Zai