

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
S.M.A. No. 323 of 2019

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

17.10.2019

Mr. Muhammad Akhtar Nasim, advocate for petitioner.

Through the instant petition, Petitioner Furqan Ahmed 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 19, which were left by his deceased father, namely, Rashid Ahmed s/o. S. M. Ibrahim, who allegedly died on 12.06.2019 at Karachi, leaving behind (1) Mrs. Zaima Rashid Ahmed (widow), (2) Muneeb Ahmed (son), (3) Furqan Ahmed (son/petitioner) and (4) Absar Ahmed (son) as his legal heirs. Original Death Certificate of deceased as well as photostat copies of Family Registration Certificate, issued by the NADRA and bank statements are also filed at page 15, 17, 21 and 23.

Legal heir No. 1 has filed her affidavit of no objection for the grant of Succession Certificate in favour of the petitioner, while legal heirs No. 2 & 4 have executed Special Power of Attorney duly attested by the Notary Public at Karachi in favour of the petitioner, who has filed affidavits of no objection on their behalf for the grant of Succession Certificate in his favour.

Two witnesses, namely, Mushtaq Ahmed s/o. Sheikh Muhammad Ibrahim and Muhammad Dawood s/o. Shahzada 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 dated 31.08.2019; 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 12.09.2019.

Today petitioner and legal heir No. 1 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 thereon. Legal heir No. 2 is also present and affirms the contents of memo of petition as well as affidavit filed by the petitioner on his behalf.

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