

ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI  
S.M.A. No. 329 of 2021

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Date	Order with signature of Judge
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For orders on C.M.A. No. 1497/2021.

03.06.2021

Mr. Farjad Ali Khan, Attorney of the petitioner, present in person.

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Attorney of the petitioner pleads urgency and requests for taking up the matter. Urgency application is granted and consequently the matter is taken up for hearing.

By this petition, petitioner, namely, Irfan Saadat Khan, through his Attorney, namely, Farjad Ali Khan 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 29 & 31, which were left by his deceased mother, namely, Mst. Shahjahan Begum widow of Saadat Ali Khan, who allegedly died on 17<sup>th</sup> April, 2021 at Karachi, leaving behind her five legal heirs, namely, (1) Irfan Saadat Khan (son/petitioner), (2) Imran Ghazali Khan (son), (3) Zarnigar Shahid (daughter), (4) Naghma Riaz (daughter) and (5) Farhan Ali Khan (son). Photostat copies of Death Certificate of deceased, issued by the Secretary UC-23, Sakhi Hassan, North Nazimabad, Karachi, Family Registration Certificate, issued by the NADRA, title documents of the immovable property and bank statements are also filed at page 21, 25 and 35 to 87.

Legal heirs No. 2 to 5 have filed their Affidavits of No-Objection for the grant of Succession Certificate and Letter of Administration in favour of the petitioner/legal heir No.1, which are available on record.

Two witnesses, namely, Tahseen Ahmed and Muhammad Gulzar 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 20<sup>th</sup> May, 2021; 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 27<sup>th</sup> May, 2021.

On 5<sup>th</sup> May, 2021 attorney of the petitioner and legal heirs No. 2 to 5 made their appearance before this Court, while above named witnesses have appeared today before this Court. All have affirmed the contents of memo of petition as well as their respective affidavits and also verified their signatures made thereon.

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.

At this juncture, attorney of the petitioner states that since no one has come forward to raise objection for the grant of this petition, the petitioner may be exempted from furnishing the requisite securities/sureties for issuance of Letter of Administration and Succession Certificate and permitted to deposit title documents of the immovable property mentioned in the Schedule of Properties for the grant of Letter of Administration and be allowed to execute P.R. Bond for the grant of Succession Certificate in respect of movable properties, in lieu of surety.

Looking to the fact that despite publication in newspaper none has raised any objection for the grant of Succession Certificate and Letter of Administration in favour of the petitioner, the request is allowed. Nazir is directed to accept original title documents of the subject property as surety for issuance of Letter of Administration. Petitioner is also allowed to execute P.R. Bond for the grant of Succession Certificate in respect of movable properties.

J U D G E