

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
S.M.A. No. 335 of 2019

Date

Order with signature of Judge

For hearing of main petition.

12.11.2019

Mr. Shaikh Jawaid Mir, advocate for petitioner.

Through the instant petition, Petitioner Mustansar Billah has prayed for the grant of Letter of Administration in respect of immoveable properties/assets, details whereof are mentioned in the Schedule of Properties attached with the memo of petition, available at page 21, which were left by his deceased father, namely, Abdul Ghani Baloch s/o. Muhammad Siddique, who allegedly died on 01.02.2019 at Karachi, leaving behind (1) Noor Jahan (widow), (2) Nadia (daughter), (3) Shazia (daughter), (4) Muhammad Muzzamil (son), (5) Faiza (daughter), (6) Muhammad Mudassir (son), (7) Mubashir (son), and (8) Mustansar Billah (son/petitioner) as his legal heirs. Original Death Certificate of 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 15 to 19 and 29 to 257.

Legal heirs No. 1, 2, 4, 6 & 7 have filed their affidavits of no objection for the grant of Letter of Administration in favour of the petitioner, while legal heirs No. 3 & 5 have executed Special Power of Attorney duly attested by the Consular Attache in the Consulate General of Pakistan at Dubai, UAE, which are also available on record.

Two witnesses, namely, Nazeer s/o. Iqbal and Muhammad Abid Khan s/o. Muhammad Yousuf 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 18.09.2019; 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 24.10.2019.

Today petitioner and legal heirs No. 1, 2, 4, 6 & 7 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 properties/assets shown in the Schedule of Properties, as per rules.

J U D G E

Athar Zai