

ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI  
S.M.A. No. 338 of 2019

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Date

Order with signature of Judge

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For hearing of main petition.

19.08.2020

Mr. Muhammad Riaz Khan, advocate for petitioner.

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Through the instant petition, petitioner Jehanzaib Khan Pathan has prayed for the grant of Succession Certificate and Letter of Administration in respect of moveable and immovable properties/assets, details whereof are mentioned in the Amended Schedule of Properties attached with the memo of petition, available at page 39 to 49, which were left by his deceased mother, namely, Mst. Zahida widow of Abdul Nabi Pathan, who allegedly died on 24.06.2019 at Karachi, leaving behind (1) Abdul Nasir (son), (2) Jehanzaib Khan Pathan (son/petitioner), (3) Gul Jabeen Pathan (daughter), (4) Faisal Khan Pathan (son) and (5) Muneeza Khan Pathan (daughter) as her 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 and Term Deposit Receipts are also filed at page 63 to 106.

Legal heirs No. 4 & 5 have filed their Affidavits of No-Objection for the grant of Succession Certificate and Letter of Administration in favour of the petitioner, while legal heirs No. 1 & 3 have executed Special Power of Attorney duly attested by the Attache in the Consulate General of Pakistan at Houston, USA and Notary Public at Karachi in favour of the petitioner, who has filed Affidavit of No-Objection on their behalf.

Two witnesses, namely, Abdul Qayoom s/o. Agha Bashir Ahmed Khan and Kamran Khan s/o. Wazir Badshah 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 28.10.2019; 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 18.12.2019.

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, as per rules.

J U D G E

Athar Zai