

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
S.M.A. No. 354 of 2018

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

04.12.2018

Mr. Muhammad Saeed Khan, advocate for petitioner.

Through the instant petition, Petitioner, Mst. Durdana Mansoor 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 Schedule of Properties attached with the memo of petition, available at page 19, which were left by her deceased husband, namely, Mansoor Ansari s/o. Muhammad Abdul Raheem Ansari, who allegedly died on 14.11.2018 at Karachi, leaving behind (1) Mst. Durdana Mansoor (widow/petitioner), (2) Safia Ansari (mother), (3) Abdul Muqtadir Ansari (son), (4) Abdul Muqadam Ansari (son) and (5) Baby Momina Mansoor (daughter) as his 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, bank statement and Defence Saving Certificates are also filed at page 15, 17 and 29 to 135.

Legal heir No.2 has filed her affidavit of no objection for the grant of Succession Certificate and Letter of Administration in favour of the petitioner, while legal heirs No. 3 to 5 are minors, who are being represented by their mother/petitioner, who has been appointed as their Guardian-ad-Litem.

Two witnesses, namely, Mir Wajid Ali s/o. Mir Mujahid Ali and Syed Fayyaz Hussain s/o. Syed Sajid Hussain 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 17.10.2018; 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 15.11.2018.

Today petitioner, legal heir No.2 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 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. Petitioner is directed to deposit share of the minors/legal heirs No. 3 to 5, in respect of movable property/Defence Saving Certificates, after its encashment, with the Nazir of this Court, which would be invested by the Nazir in any profitable government scheme till the minors attain majority. However, the petitioner shall be entitled to get the profit on the said amount, which would be used for the welfare of minors.

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