

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
S.M.A. No. 348 of 2017

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

31.01.2018

Mr. Muhammad Khalid Khan Arshi, advocate for petitioner.

Through the instant petition, Petitioner, Sarwat Jehan has prayed for the grant of Letter of Administration in respect of immoveable property/asset, mentioned in the Schedule of Properties attached with the memo of petition, available at page 15, which was left by her deceased husband, namely, Muhammad Hayat Khan s/o. Muhammad Khan, who died on 11.02.2009 at Karachi, leaving behind his mother Mst. Zaitoon Begum, Mrs. Sarwat Jehan (widow/petitioner), three sons, namely, Muhammad Arsalan Khan, Muhammad Salman Khan, Muhammad Adnan Khan as his legal heirs. The mother of deceased also expired subsequently on 05.06.2009; therefore, her legal heirs i.e. Muhammad Riaz Khan (son) as well as Shah Jahan and Noor Jehan (daughters) were also joined as her legal heirs, who are real brother and sisters of deceased Muhammad Hayat Khan. Original Death Certificates of deceased Muhammad Hayat Khan and photostat copies of Family Registration Certificate, issued by the NADRA, and title documents of the immovable property are also filed at page 9, 13 and 23 to 57.

Legal heir of deceased Muhammad Hayat Khan, namely, Muhammad Arsalan Khan, Muhammad Salman Khan and Muhammad Adnan Khan have executed their Special Power of Attorney in favour of the petitioner, duly attested by the Counselor Attache, Embassy of Pakistan at Bucharest, Romania, Consulate

General of Pakistan at Frankfurt, Germany and Second Secretary, Embassy of Pakistan at Riyadh, Saudi Arabia, respectively, which are also filed alongwith their affidavits of No Objection for the grant of Letter of Administration in favour of the petitioner, while Legal heirs of deceased Mst. Zaitoon Begum, namely, Muhammad Riaz Khan, Shah Jahan and Noor Jehan have also filed their affidavits of no objection for the grant of Letter of Administration in favour of the petitioner.

Two witnesses, namely, Noushad Afaq Khan s/o. Muhammad Shamshad Khan and Danyal Afaq Khn s/o. Naushad Afaq 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 14.12.2017; 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 11.01.12018.

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 property/asset shown in the Schedule of Properties, as per rules.

J U D G E