

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
S.M.A. No. 374 of 2019

Date

Order with signature of Judge

For hearing of main petition.

20.12.2019

Mr. Saleem Khan, advocate for petitioner.

Through the instant petition, petitioner Mst. Anwar Jahan 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 21, which were left by her deceased husband, namely, Sheikh Muhammad Aslam Taqi, who allegedly died on 6th June, 2017 at Karachi, leaving behind (1) Mst. Anwar Jahan (widow/petitioner), (2) Mrs. Shehla Kausar (daughter), (3) Taimoor Aslam (son), (4) Babar Aslam (son) and (5) Mrs. Nida Asad (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 property and bank statement are also filed at page 13, 19 and 27 to 55.

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, duly sworn before Assistant Registrar, Affidavit and Identity Branch of this Court on 12th September, 2019, while legal heirs No. 2, 3 & 5 have also executed General Power of Attorney in favour of the petitioner duly attested by the Notary Public at Karachi on 22nd November, 2019.

Two witnesses, namely, Javed Hussain s/o. Kabeer Hussain and Asad Mohiuddin Farooqui s/o. Hamid Mohiuddin Farooqui 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 23rd September, 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 17th October, 2019.

Today petitioner and legal heir No. 4 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 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.

J U D G E

Athar Zai