

ORDER SHEET
 IN THE HIGH COURT OF SINDH AT KARACHI
 S.M.A. No. 379 of 2018

Date	Order with signature of Judge
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1. For order on Nazir's report dated 30.01.2020.
2. For hearing of main petition.

28.01.2021

Mr. Zafar-ud-Din Khan, advocate for petitioner.

1. Nazir's report is taken on record.
2. Through the instant petition, petitioner Mst. Rabia Shahid 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 13, which were left by her deceased husband, namely, Lt. Col. (R) Muhammad Shahid Saleem Khan, who allegedly died on 23rd October, 2004 at Karachi, leaving behind him four legal heirs, details whereof are mentioned in paragraph No. 3 of the memo of petition. 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 9, 11 and 21 to 28.

Legal heirs No. 2 to 4 have executed Special Power of Attorney duly attested by the Notary Public at Karachi and Counsellor in the High Commission for Pakistan at Canberra, Australia, in favour of the petitioner, who has filed Affidavits of No-Objection for the grant of Letter of Administration in her favour, which are available on record.

Two witnesses, namely, Masood Ahmed Bhatti and Sharik Zia Alvi 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 & Rawalpindi dated 15th April, 2020; 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 3rd September, 2020.

On 23rd December, 2019 one of the legal heirs, namely, Maria Shahid while on 16th December, 2020 petitioner as well as one of the witnesses, namely, Masood Ahmed Bhatti appeared before this Court, whereas today another witness, namely, Sharik Zia Alvi has made his appearance. All have affirmed the contents of memo of petition as well as their affidavits and also verified 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