

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
S.M.A. No. 380 of 2020

Date	Order with signature of Judge
------	-------------------------------

For hearing of main petition.

10.12.2020

Mr. Muhammad Akhtar Nasim, advocate for petitioner.

Through the instant petition, petitioner Mrs. Abida Malik has prayed for the grant of Letter of Administration in respect of immoveable property/asset, details whereof are mentioned in the Schedule of Property attached with the memo of petition, available at page 13, which was left by his deceased husband, namely, Lt. Col. (R) Abdul Malik, who allegedly died on 14th April, 2020 at Karachi, leaving behind him four legal heirs, details whereof are mentioned in paragraph No. 2 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 property are also filed at page 9, 11 and 19 to 41.

Legal heirs No. 3 and 4 have filed their Affidavits of No-Objection for the grant of Letter of Administration in favour of the petitioner/legal heir No.1, while legal heir No. 2 has executed Special Power of Attorney duly authenticated by the Notary Public at Karachi in favour of the petitioner, who has filed Affidavit of No-Objection for such purpose on her behalf, which are available on record.

Two witnesses, namely, Aijaz Ahmed and Imtiaz Ahmed Shaikh 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 30th October, 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 26th November, 2020.

Today petitioner and legal heirs No. 3 and 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 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 property/asset shown in the Schedule of Property, as per rules.

J U D G E

Athar Zai