

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
S.M.A. No. 393 of 2018

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

For hearing of main petition.

08.02.2019

Mr. Muhammad Iqbal, advocate for petitioner.

Through the instant petition, Petitioner Mst. Aneela Bano has prayed for the grant of Letter of Administration in respect of immovable property/asset, details whereof are mentioned in the Schedule of Property attached with the memo of petition, available at page 21, which was left by her deceased husband, namely, Nadeemullah Butt s/o. Naimatullah Butt, who allegedly died on 22.01.2018 at Karachi, leaving behind (1) Mst. Aneela Bano (widow/petitioner), (2) Wajiha Ishtiaq Butt (daughter), (3) Urooj Butt (daughter), (4) Sadia Nadeem Butt (daughter), (5) Huma Butt (daughter), (6) Nabeel Butt (son), (7) Saba Butt (daughter) and (8) Muhammad Adnan Butt (son) as his legal heirs. Original Death Certificate of deceased as well as photostat copies of Family Registration Certificate and B-Form, issued by the NADRA as well as title documents of the immovable property are also filed at page 13 to 19 and 27 to 37.

Legal heirs No. 2 to 4 and 6 have filed their affidavits of no objection for the grant of Letter of Administration in favour of the petitioner, while legal heirs No. 5 & 7 have executed Power of Attorney, duly attested by the Head of Consular Section in the Embassy of Pakistan at Paris, France in favour of the petitioner, who has also filed affidavit of no objection on their behalf for the grant of Letter of Administration in her favour, whereas legal heir

No. 8 is minor, who is being represented by her mother/petitioner, who has been appointed as his Guardian-ad-Litem.

Two witnesses, namely, Muhammad Siddiq s/o. Hassan Khan and Ishtiaq Ahmed Butt s/o. Shafiq Ahmed Butt 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 13.12.2018; 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 17.01.2019.

Today petitioner and legal heirs No. No. 2 to 4 and 6 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 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