

ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI  
S.M.A. No. 396 of 2018

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Date

Order with signature of Judge

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For hearing of main petition.

25.09.2020

Mr. Ahmed Nawaz Osmani, advocate for petitioner.

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Through the instant petition, petitioner Asif Jameel Ansari 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 13, which was left by his deceased wife, namely, Fauzia Asif, who allegedly died on 01.01.2016 at Karachi, leaving behind (1) Mrs. Farrukh Aslam (mother), (2) Asif Jameel Ansari (husband/petitioner), (3) Ms. Faria Farhan (daughter), (4) Ms. Amna Owais Farooq (daughter), (5) Isra Asif Ansari (daughter), (6) Master Akhtar Jameel Ansari (son) and (7) Master Hassan Jameel Ansari (son) as her legal heirs. 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 7 to 11 and 19 to 71.

Legal heirs No. 1 and 3 to 5 have filed their Affidavits of No-Objection for the grant of Letter of Administration in favour of the petitioner, while legal heirs No. 6 & 7 are minors, who are being represented by their father/petitioner, who has been appointed as their Guardian-ad-Litem.

Two witnesses, namely, Muhammad Farhan Wali s/o. Wali Dad Khan and Owais Mustafa Farooq s/o. Javed Pasha Farooq 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 11.01.2019; 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 07.03.2019.

Petitioner and legal heirs No. 3 & 5 as well as one witness, namely, Muhammad Farhan Wali appeared before this Court on 22.11.2019, while legal heir No. 4 as well as another witness, namely, Owais Mustafa Farooq made their appearance on 22.09.2020, whereas legal heir No. 1 is present today. 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 property/asset shown in the Schedule of Property, as per rules.

J U D G E

Athar Zai