

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
S.M.A. No. 445 of 2019

Date

Order with signature of Judge

For hearing of main petition.

09.09.2020

Mr. Ali Asghar Buriro, advocate for petitioner.

Through the instant petition, petitioner Nabiha Zeeshan Wattoo 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 parents, namely, Syed Ahmed Taimor Bokhari s/o. Syed Muhammad Shah Bokhari and Shama Taimor Bokhari, who allegedly died on 12.08.2017 and 04.01.2019, respectively, at Karachi, leaving behind (1) Nabiha Zeeshan Wattoo (daughter/petitioner), (2) Syed Humera Bokhari (daughter) and (3) Syed Faisal Bokhari (son) as their legal heirs. Original Death Certificate of both the deceased as well as photostat copies of Family Registration Certificate, issued by the NADRA, title documents of the immovable properties are also filed at page 13, 15, 19 and 31 to 55, while the Nazir of this Court has submitted copies of bank statement, obtained by him from concerned banks, alongwith his report 28.11.2019.

Legal heirs No. 2 & 3 have filed their Affidavits of No-Objection for the grant of Succession Certificate and Letter of Administration in favour of the petitioner.

Two witnesses, namely, Muhammad Sadiq Maniar s/o. Muhammad Saleh Maniar and Syed Imran Azhar s/o. Azhar Ali Shah 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 10.03.2020; 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 20.08.2020.

On 21st February, 2020 petitioner and legal heirs No. 2 & 3 as well as one of the witnesses, namely, Muhammad Sadiq Maniar appeared, while another witness, namely, Syed Imran Azhar today has made his appearance before this Court.

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