

IN THE HIGH COURT OF SINDH KARACHI

S. M. A. No. 193 of 2015

Date	Order with signature of Judge
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For hearing of Main Petition :

Petitioner : Haseeb Ahmed Shaikh S/O Shamim Ahmed Shaikh
(CNIC No.42201-0114876-1) present in person
along with Syed Ali Ashraf, Advocate.

Date of hearing : 21.03.2016.

ORDER

NADEEM AKHTAR, J. – The petitioner Haseeb Ahmed Shaikh has filed this petition under Section 278 of the Succession Act, 1925, for the grant of Letters of Administration in respect of the immovable property (described in paragraph 2 of the petition and Annexure ‘D’ thereto) left by his late father Mr. Shamim Ahmed Shaikh (‘the deceased’), who passed away at Karachi on 18.10.2015. It is stated that the deceased died intestate and is survived by the following seven (07) legal heirs, who are major :

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| (1) Mst. Tasneem Jahan | widow |
| (2) Junaid Ahmed Shaikh | son |
| (3) Haseeb Ahmed Shaikh (petitioner) | son |
| (4) Mst. Fatima Waqar | daughter |
| (5) Mst. Aisha Ovais | daughter |
| (6) Mst. Humera Zohaib | daughter |
| (7) Mst. Saulaha Ahmed | daughter |

2. In support of this petition, the petitioner has filed (a) original Death Registration Certificate of the deceased issued on 13.11.2015 by the Government of Sindh, (b) copy of Family Registration Certificate dated 16.11.2015 issued by NADRA showing names of all the family members, (c) copy of the registered Sale Deed dated 28.02.2011 in favour of the deceased in respect of bungalow constructed on Plot No.B-194, measuring 400 sq. yds., Block 6, Gulshan-e-Iqbal, KDA Scheme No.24, Karachi, (d) copy of certificate issued by KBCA, (e) copy of Indenture of Lease dated 09.05.1979, between KDA and the original lessee Mst. Riaz Fatima, and (h) copies of documents showing transfer of the above property from the original lessee to the subsequent purchaser and then to the deceased. As per Schedule ‘B’ to the petition, there are no debts or liabilities of the deceased that require settlement.

3. The other surviving legal heirs of the deceased, including the widow of the deceased, have submitted their affidavits stating that they have no objection if Letters of Administration is granted in the name of the petitioner. All the legal heirs of the deceased, except his widow, are present in person. They reiterate the contents of their affidavits and state that they have no objection to the grant of this petition. The petitioner as well as the other legal heirs present in Court, state that their mother / widow of the deceased has proceeded to perform Umrah. They confirm that their mother / widow of the deceased also has no objection to the grant of this petition. The petition is also supported by the affidavits of witnesses.

4. Notice of this petition was published in the Urdu daily 'Express' Karachi on 11.01.2016. As per the report dated 10.02.2016, submitted by the Deputy Registrar (O.S.), notice was also affixed on the Court Notice Board, however, no objection whatsoever has been received from any quarter. As all the formalities have been completed as per rules, there appears to be no impediment in the grant of Letters of Administration in the name of the petitioner. Accordingly, the instant petition is allowed. Let Letters of Administration be issued in the name of the petitioner as per rules.

J U D G E