

IN THE HIGH COURT OF SINDH KARACHI

S. M. A. No. 06 of 2016

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

Petitioner : Syed Nadeem Ahmed Jilani S/O Syed Saeed Ahmed Jilani (CNIC No.42301-3271719-9) present in person along with Mr. Muhammad Riaz Khan, Advocate.

Date of hearing : 21.03.2016.

ORDER

NADEEM AKHTAR, J. – The petitioner Syed Nadeem Ahmed Jilani 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 4 of the petition and Annexure 'C' thereto) left by his late mother Mst. Rafia Jilani ('the deceased'), who passed away at Karachi on 29.07.2001. It is stated that the deceased died intestate and since her husband Syed Saeed Ahmed Jilani has also passed away, she is survived by the following three (03) legal heirs, who are major :

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| (i) Syed Nadeem Ahmed Jilani (petitioner) | son |
| (ii) Mrs. Tahmina Khalid | daughter |
| (iii) Mrs. Saba Gulrukh | daughter |

2. In support of this petition, the petitioner has filed (a) original death certificate of the deceased, (b) copy of death registration certificate dated 03.05.2010 issued by Capital Development Authority, Islamabad, in respect of the deceased's husband, (c) family registration certificate issued by NADRA on 05.01.2016 showing names of all the family members, (d) heirship certificate dated 29.07.2015, issued by the Justice of Peace, (e) copy of the registered sub-lease in Form 'A' dated 22.03.1993 between Pakistan Defence Officers' Housing Authority Karachi and the deceased, and (f) copy of letter dated 14.07.2015, issued by Pakistan Defence Officers' Housing Authority Karachi in respect of change of ownership of the aforementioned property. As per Schedule 'B' to the petition, there are no debts or liabilities of the deceased that require settlement.

3. The other two surviving legal heirs of the deceased ; namely, Mrs. Tehmina Khalid and Mrs. Saba Gulrukh, have submitted their affidavits stating

that they have no objection if Letters of Administration is granted in the name of the petitioner. The petition is also supported by the affidavits of witnesses.

4. Notice of this petition was published in the Urdu daily 'Jang' Karachi on 21.01.2016. As per the report submitted on 25.02.2016 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