

ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI  
S.M.A. No. 524 of 2019

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Date

Order with signature of Judge

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For hearing of main petition.

22.09.2020

Mr. Raja Ali Asghar, advocate for petitioner.

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Learned counsel for the petitioner states that the subject property is located in Pakistan Railways Employees Cooperative Housing Society; however, due to oversight the said address could not be mentioned in the Schedule of Property; therefore, he seeks permission for correcting the Schedule of Property. Permission is granted. Necessary correction may be made with initial.

Through the instant petition, petitioner Khalil-ur-Rehman 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 17, which was left by his deceased wife, namely, Mst. Hajira Khalil, who allegedly died on 26.08.2017 at Karachi, leaving behind (1) Khalil-ur-Rehman (husband/petitioner), (2) Raza-ur-Rehman (son), (3) Jamil-ur-Rehman (son) and (4) Mst. Yasmeen Fatima (daughter) 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 13, 15 and 25 to 31.

Legal heirs No. 2 & 4 have filed their Affidavits of No-Objection for the grant of Letter of Administration in favour of the petitioner, while legal heir No. 3 has executed Special Power of Attorney duly attested by the Head of Chancery in the High Commission for Pakistan at Wellington, New Zealand in favour of the petitioner.

Two witnesses, namely, Muhammad Hanif Rana s/o. Muhammad Ishaq and Mirza Noman Baig s/o. Mirza Muhammad Siddique 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 23.12.2019; 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 16.01.2020.

Today petitioner and legal heirs No. 2 & 4 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 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