

ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI  
S.M.A. No. 495 of 2020

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Date	Order with signature of Judge
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For hearing of main petition.

22.02.2021

Mr. Shahan Karimi, Advocate for petitioner.  
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In compliance of order dated 9<sup>th</sup> February, 2021 learned counsel for the plaintiff, through statement dated 15<sup>th</sup> February, 2021, filed fresh affidavits of third party witnesses, which are taken on record.

Through the instant petition, petitioner Mst. Asfa Amir 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 to 25 and 55, which were left by her deceased husband, namely, Amir Hussain, who allegedly died on 11<sup>th</sup> May, 2020 at Karachi, leaving behind him eight legal heirs, details whereof are mentioned in paragraph No. 4 of the memo of petition. Out of them, legal heirs No. 7 & 8 are minors, who are being represented by their mother/petitioner/legal heir No. 3, who has been appointed as their Guardian-ad-Litem. Original Death Certificate of deceased as well as photostat copies of Family Registration Certificate & "B" form, issued by the NADRA, title documents of the immovable property and bank statements are also filed at page 9, 11, 13, 19 and 27 to 53.

Legal heirs No. 4 to 6 have filed their Affidavits of No-Objection for the grant of Succession Certificate and Letter of Administration in favour of the petitioner/legal heir No.3, while legal heirs No. 1 & 2 have filed such affidavits duly sworn before Assistant Registrar, Affidavit and

Identify (A.S.) of this Court at their home, who have also executed Power of Attorney duly authenticated by the Notary Public at Karachi in favour of their son, namely, Syed Salman Hussain, who has filed such Affidavit of No-Objection on their behalf, which are available on record.

Two witnesses, namely, Muhammad Ashraf and Syed Muhammad Ali Zaidi 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 24<sup>th</sup> December, 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 21<sup>st</sup> January, 2021.

On 9<sup>th</sup> February, 2021 petitioner as well as legal heirs No. 4 to 6 and attorney of legal heirs No. 1 & 2 appeared before this Court, while today both the above named witnesses made their appearance. 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 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