

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
S.M.A. No. 530 of 2019

Date	Order with signature of Judge
------	-------------------------------

For hearing of main petition.

19.11.2020

Mr. Muhammad Ibrahim Shaikh, advocate for petitioner.

Learned counsel for the petitioner states that inadvertently some of the miscellaneous papers and documents have been mentioned at serial No. 10 in the Amended Schedule of Properties as the property of the deceased,, namely, Muhammad Aslam Khan s/o. Talib Hussain; therefore, he seeks permission for deletion of the same. Permission is accorded.

Through the instant petition, petitioner Amanullah Khan 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 Amended Schedule of Properties attached with the memo of petition, available at page 23, which were left by his above named deceased father, who allegedly died on 17th September, 2019 at Karachi, leaving behind (1) Mst. Lal Babbu (widow) (2) Muhammad Hassan Khan (son), (3) Hazratullah Khan (son), (4) Amanullah Khan (son/petitioner), (5) Mst. Nadia Aslam Khan (daughter), (6) Tanzeel Khan (son) and (7) Usman Ghani Khan (son) as his legal heirs out of whom legal heir No. 7 is minor, who is being represented by the petitioner, who being his real brother has been appointed as his Guardian-ad-Litem. Original Death Certificate of deceased as well as photostat copies of Family Registration Certificate, issued by the NADRA, title documents of the immovable properties, bank statements, and registration documents of vehicles are also filed at page 15, 19, 21 and 27 to 87.

Legal heirs No. 1, 2, 3, 5 & 6 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, Nasir Hameed Khan s/o. Abdul Hameed Khan and Syed Muhammad Mansoor s/o. Syed Niaz Muhammad 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 6th March, 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 20th August, 2020.

On 5th November, 2020 petitioner and legal heirs No. 1, 2, 3, 5 & 6 as well as above named witnesses have made their appearance before this Court and 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 Amended Schedule of Properties, as per rules.

J U D G E