ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
SMA No. 01 of 2020

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Order with signature of Judge(s)

- For orders on CMA No.1499/2022 (Urgent Application
  [The matter is pending before Deputy Registrar (O.S) for verification of property (Flag 'A')]

13.06.2022

Ms. Zakia Haneef, Advocate alongwith Petitioner

Urgency granted.

Petitioner Muhammad Aqeel has applied for grant of Letter of Administration in respect of the estate (described in the Schedule of Properties) of his deceased father namely Muhammad Rafiq, who is shown to have died on 07.03.1983. The original death certificate of the deceased is attached at Page-17, who has left behind the legal heirs named in paragraph 2 of the petition. In support of the instant SMA, Family Registration Certificate is attached at Page-23.

Petitioner in Para 2 of the petition has stated that the deceased had no other legal heir except those mentioned in Para 2. Legal heir Nos.2 to 5 have already executed their General Powers of Attorney in favour of the petitioner, while Legal Heir No.6 (who is objector), has now executed General Power of Attorney in favour of the petitioner.

Two witnesses namely (1) Muhammad Sabir S/o Muhammad Bashir Khan and (2) Muhammad Abid Khan S/o Nizamullah Khan, who have filed their duly sworn affidavits, have also appeared before this Court and re-affirmed contents of their affidavits.

Publication in the present matter has been made in daily "Jang", Karachi on 21.05.2022 inviting objections, but none has come forward to contest this SMA.

Since this is a non-contentious matter and the petitioner is a legal heir of the deceased and despite publication in a widely circulated newspaper nobody has appeared to raise any objection, this petition is allowed. Let Letter of Administration be issued in respect of the immovable property left by the deceased, as mentioned in the schedule of properties, after complying all the codal formalities and upon proper verification, identification and the petitioner having deposited the original documents of the immovable property(ies).

JUDGE

B-K Soomro