

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
SMA No.176 of 2015.

Date

Order with signature of Judge

For hearing of main petition.

21. 01. 2016

Mr. Abid Nadeem, Advocate a/w. petitioner Usman Jan Khan legal heirs Nasreen Umer and Saadia Umar.

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The petitioner Usman Jan Khan has filed this petition for grant of Letter of Administration and Succession Certificate under Section **278 & 372** of Succession Act, 1925 stating therein that deceased Umar Jan died on 26.09.2014. Original death Certificate issued by Milwaukee County Register Deed is placed on record. Deceased at the time of his death left behind the following legal heirs:-

- | | | |
|-------------------|------|-----------------|
| 1) Nasreen Umar | | Widow. |
| 2) Usman Jan Khan | | Son/petitioner. |
| 3) Saadia Umar | | Daughter. |
| 4) Ayesha Maria | | Daughter. |
| 5) Zainab Jan | | Daughter. |

At the time of his death the deceased left certain movable and immovable properties, details whereof, as per amended schedule of properties, filed in compliance of order dated 22.12.2015, is as under:-

IMMOVABLE PROPERTIES.

S.No.	Property	Value in Rupees
1.	43% share in Plot No.S/68 and any construction thereon, measuring 0.5 acres SITE Karachi registered in the name of the Partnership concern of the Deceased namely, Umar & Ali Brother.	21.5 million.
2.	50% share in Plot No.54/A, Unit 3, Latifabad, Hyderabad measuring 1000 Square yards.	20 million.
3.	35 Acres 16 Ghuntas of agricultural land in Village Oderolal Station, Deh Khuddi, Tappu Naubat Marri, Matiari, Hydeabad.	40 million.
4.	Qarni Petroleum Service (Petrol Pump) situated on Oderolal Railway Station, Oderolal/Nasarpur Road District Hyderabad.	5 million.
5.	Property bearing Shop No.A/24, situated at Oderolal Station, Taluka Hala, District Hyderabad.	1 million
6.	Property bearing Shop No.A/3, situated at Oderolal Station, Taluka Hala, District Hyderabad.	1 million.

7.	Property measuring 12,344 Sq.Ft. situated at Oderolal Station, Taluka Hala.	2 million.
	Total Value	90.5 million.

MOVEABLE ASSETS.

DETAILS OF VEHICLES OWNED.

S.NO.	VEHICLE	VALUE IN RUPEES
1.	Toyota Prado Registration No.BD-8961	4 million.
2.	1 Tractor bearing registered No.FA-7336	0.5 million.
3.	1 Tractor bearing registered No. T-2833	0.5 million.
4.	1 Tractor bearing registered No. T-2834	0.5 million.
5.	Honda Civic Car bearing Registration No. ASV-341	1 million.
	Total Value	6.5 million.

B. DETAILS OF WEAPONS OWNED.

S.No.	Weapon.	License No..	Value in Rupees.
1.	Non-prohibited bore Rifle	81197427827	0.2 million.
2.	Non-prohibited bore Shotgun	91174191345	0.2 million
3.	Non-prohibited bore Pistol	55000459583	0.1 million
4.	Non-prohibited bore Shotgun	50686732141	0.2 million
5.	Shot Gun	20011023730	0.1 million
		Total	0.8 million.

GRAND TOTAL AMOUNT FOR IMMOVABLE AND MOVABLE PROPERTIES Rs.97.8 Million.

Publication of the main petition has been effected in daily “Jang”, daily “Express” and daily “Kawish” dated 22.12.2015 but none has come forward to file any objection from any corner. The witnesses namely Dr. Aly Khan son of Israr Muhammad (CNIC No. 42201-9142965-7) and Brig. (R) Ahmad Shamshad (CNIC No.42000-0507694-1) have sworn their affidavits stating therein that the deceased has left the aforesaid legal heirs and no other person is the legal heir of the deceased Umar Jan except the persons mentioned above.

Petitioner Usman Jan Khan is present, and identified through his original CNIC bearing No.42301-4698724-3. Legal heirs of the deceased, namely, Nasreen Umar and Sadia Umar appeared before the Court and affirmed that they have given no objection for issuance of Letter of Administration and Succession Certificate in favour of the petitioner. Whereas, other legal heirs, namely, Ayesha Maria and

Zainab Jan did not appear before the Court, however, they have executed special power of attorney in favour of the petitioner in respect of the instant petition.

A Family Registration Certificate issued by NADRA is also attached with the petition showing the aforesaid widow, son and daughters to be the legal heirs of the deceased person.

As, all the necessary legal requirements have been fulfilled, therefore, there appears to be no impediment left for the grant of this petition. The petition is accordingly granted. Let the Letters of Administration and Succession Certificate be issued in accordance with the rules. Needless to mention that Letter of Administration would be for the purpose of change of title of the subject matter property in favour of the legal heirs and distributing moveable assets among the legal heirs under authenticated receipt. Be that as it may custodian of the record of rights are required to act strictly in accordance with law. In case, title of subject matter is under clouds in any manner or under adjudication of any Court of law, they shall not be influenced by the order of this Court.

SAJID

JUDGE