ORDER SHEET IN THE HIGH COURT OF SINDH AT KARACHI

SMA NO.551/2021

Date	Order with signature of Judge

For hearing of main petition.

07.12.2021

Mr. Muhammad Tarique advocate alongwith petitioner and Danish Ali, witnesses S. Khurram Mairaj and Muhammad Nehaluddin.

This SMA is filed after NADRA declined issuance of letter

of administration/succession certificate under section 10 of the

Sindh Letter of Administration and Succession Certificate Act 2021.

Office note dated 25.11.2021 reflects that :-

"As per contents of the above named (deceased expired on 02.01.2021 at Karachi. Original death certificate and family registration certificate are attached in the case file at page 9-11. Decline letter issued by NADRA is available al Page No. 13. Deceased above named has left behind the following legal heirs as per petition.

- 1. Jalees Fatima Usmani, widow, petitioner
- 2. Arif Usmani, son
- 3. Ayesha Usmani, daughter
- 4. Saima Usmani, daughter
- 5. Danish Ali Usmani, son

Legal heir No.1 is the petitioner who is widow of deceased. Legal heir Nos. 2, 3 and 4 have executed Special Power of attorney in favour of Petitioner duly attested by Consulate General of Pakistan, Dubai. Legal heir No.5 has sworn affidavit of No objection in favour of petitioner.(Page Nos. 103-115)

Affidavits of two witnesses, namely (l) Danish Ali Usmani son of Zainul Majdin Usmani and (2) Muhammad Nehaluddin son of Raisuddin, are also on record. (Page No.117-119)

As per schedule of properties (Page No.15-17) the above named deceased has left (01) one immovable property, bank accounts, motor vehicle and articles lying in bank locker. Photocopy of title documents of immovable property, bank statement, registration documents of motor vehicle are attached In the case file (Page No. 25 -101) whereas original documents of Immovable property and motor vehicle have been seen and returned.

•••••

Publication of petition has been effected in daily Jang, Karachi, dated 08.10.2021 but none has filed any objection from any corner."

Since there is no objection from any corner, thus petition is accordingly granted. Let the Letter 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 properties in favour of the legal heirs and distributing moveable assets among the legal heirs under authenticated receipt(s)/cross cheque(s).

Be that as it may, custodian(s) of the record of rights is/are required to act strictly in accordance with law. In case, the title of subject matter properties are under clouds in any manner or under adjudication by any Court of law, the Custodian(s) shall not be influenced by the order of this Court.

Imran/PA

JUDGE