

**ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI**

**S.M.A. 10 of 2023**

---

Date	Order with signature of Judge(s)
------	----------------------------------

---

1. For orders on CMA No.258 of 2023
2. For hearing of main petition

**27.09.2023**

Mr. Shahnawaz Sahito, advocate, for the petitioner along with Ms. Meena Kumari, Sheela Rani, Amisha Darshan and Kishore Kumar (Attorney of legal heir No.3) Witnesses Mr. Suresh Kumar & Vinod Kumar, are present

The Petitioner / legal heir No.1 is present along with legal heirs No.2 & 4 and the witnesses. Insofar as legal heir No.3 is concerned, he is represented by his attorney, Mr. Kishore Kumar, who is present (Special Powers of Attorney are taken on record).

CMA No.258 of 2023, has been filed seeking to appoint the petitioner as guardian ad-litem of the minor, legal heir No.5. The remaining legal heirs are present and have no objection to the grant of this application, hence, the same is allowed as prayed.

Per the Report / Order dated 09.09.2023 of the Deputy Registrar (OS) ("Report"), he has satisfied himself that all requisites to the hearing of the main petition, including its publication, have been fulfilled and no objection thereto has been received, therefore, the main petition shall be determined in terms herein.

This is a petition under Sections 372 & 278 of the Succession Act, 1925, praying for Succession Certificate & Letters of Administration in respect of the estate of late Darshan Ashok s/o Late Ashok ("Deceased"). Per the Report, the Deceased expired on 09.09.2022 at Karachi and that the petitioner and legal heirs No.2 to 5 are the legal heirs of the deceased. The death certificate and family registration certificate are stated to have been examined by the Deputy Registrar and are also available on file. The Report records the affidavits of two witnesses, which are also on file. The Report further records that estate of the deceased comprised of ten immovable properties, copies of title documents whereof are available on file, while the original in such regard was seen and returned. The Report also records that the publication of the main petition had been effected in the daily Jang dated 08.02.2023 but no objection has been received from

any corner in such regard. The Report demonstrates that after having satisfied himself with the completion of the requirements, the Deputy Registrar has forwarded the matter for hearing of the main petition.

In view of the foregoing, it appears that all the requisites have been completed to the satisfaction of the Deputy Registrar and there appears to be no impediment to the grant hereof, therefore, this petition is hereby allowed. The office is directed to issue a succession certificate & letter of administration, in respect of the assets recorded in the Report, as per Rules.

Learned counsel submits on oral motion that the petitioner may be permitted to deposit the original title documents of the immovable properties as security for the grant of the letter of administration as it would be virtually impossible to secure the said instrument through any other means. The request appears to be reasonable and is hereby granted.

This petition stands allowed in terms herein contained.

JUDGE