

**ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
S.M.A. 07 of 2024**

Date	Order with signature of Judge(s)
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For hearing of main petition

21.03.2024

Mr. Muhammad Aqil, advocate, for the petitioner
Mr. Shaban Elahi (legal heir No.1)
Mr. Imran Elahi (petitioner as well as legal heir No.2)
Ms. Zahra Sarfraz (legal heir No.3)
Mr. Hassan Basharat (Witness No.1.)
Mr. Muhammad Moin uddin, (Witness No.2)

Per the Report / Order dated 15.02.2024 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 278 & 372 of the Succession Act, 1925, praying for Letter of Administration and Succession Certificate in respect of the estate of late Kausar Aman ("Deceased"). Per the Report, the Deceased expired on 30.08.2023 at Karachi and that the petitioner and legal heirs No.1 & 3 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 estate of the deceased comprises of moveable and immovable properties mentioned in the Reports. The Reports record that the title documents in respect of the estate have been seen/verified by the Deputy Registrar. The Report also records that the publication of the main petition had been effected in the daily Jang and The NEWS International, Karachi, Quetta and Lahore dated 23.01.2024, 24.01.2024 and 25.01.2024 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 letters of administration, in respect of the immovable properties recorded in the Reports, and succession certificate, in respect of the moveable properties recorded in the Reports, as per Rules.

Learned counsel submits on oral motion that the petitioner may be permitted to deposit the original/verified title documents of the immovable properties as security for the grant of the letters 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

Amjad