

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
C.P. No.D-5204 of 2024

Date	Order with signature of Judge
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For order as to maintainability of petition.

25.11.2024

Mr. Aftab Channa, Advocate for the Petitioners.
Mr. Muhammad Qasim Khan, DAG.
Mr. Asad Iftikhar, AAG.

The grievance of the petitioners is that their husband/father, (late) Muhammad Qayoom, availed a finance facility from the House Building Finance Corporation (**HBFC**), which has been fully repaid, as confirmed from HBFC's letter dated 14.12.99 (at Court file page 39). Late Muhammad Qayoom passed away on 18.01.1999, whereafter the petitioners approached HBFC for return of the title documents of the mortgaged property. However, they were directed to submit a Succession Certificate/Letter of Administration from the National Database and Registration Authority (**NADRA**). Upon approaching NADRA, the petitioners were asked to provide the original title documents of the property mortgaged with HBFC, which they could not produce as those documents are allegedly in the possession of HBFC.

DAG and AAG, present in Court, waive notice of this petition and state that since due to unavailability of original title documents of the property, which are said to be lying with HBFC, the matter relating to issuance of Succession Certificate/Letter of Administration

is not being processed by NADRA. They state this petition can be disposed of by giving necessary directives. The learned counsel for the petitioner has also consented to this proposition.

In view of the above, the petitioners are directed to obtain from HBFC a certificate with regard to the original title documents of the mortgaged property being in possession of HBFC, along with certified copies of the same. Thereafter they shall submit the same to NADRA for the purpose of issuance of the Succession Certificate/Letter of Administration in accordance with the law.

Petition stands disposed of in the above terms, alongwith pending application(s), if any.

JUDGE

JUDGE

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