

ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI



S.M.A. No.180 of 2015

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Date	Order with signature of Judge
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1. For orders on CMA 114/16
2. For hearing of main petition.

Dated: 27.01.2016

Mr. Abdul Sattar Pirzada for the petitioner.

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- 1) Granted.
- 2) On account of sad demise of Mrs. Almas Chinoy, this petition has been filed by the petitioner. The petitioner being the younger son of the deceased has filed this petition whereas rest of the legal heirs have given their affidavits of no objection. The assets left by the deceased are mentioned in schedule of property annexed with the petition and available at page 17 which include the shares in certain companies as well as the amounts lying in different banks, particulars of which are mentioned in the schedule of properties.

The subject has already been published in Daily Dawn dated 19.12.2015 and no objection from any corner of whatsoever nature has been received. Necessary affidavits have already been filed and all other formalities, as required under the law, have been fulfilled. Deputy Registrar has also submitted his report in relation thereto.

All the legal heirs are present and admit the contents of their affidavits of no objection. Two witnesses namely Wali Dad Shah and Fahad Hussain are also present who confirm the contents of the petition and submit that there are no other legal heirs except those mentioned in the petition.

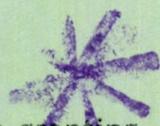
① Proceeds of A/c No. 2441-00781652-01  
and TDA A/c No. 2441-00798492-30 by  
Pay Order No. 15053112 dt: 18/04/2016  
for Rs: 5,35,84,461/20 received  
from HBL, Dawood Centre, Bor. Khr  
and have been credited vide C.R.  
No. 5538 dt: 25/04/2016.

② Proceeds of A/c No. 0056-7903270-01  
by P.O. No. 14361399 dt: 30/3/2016 for  
Rs: 93,836/14, received from HBL,  
Shahra-e-Iran, Clifton, Karachi and  
has been credited vide CR No 5191  
dt: 05/04/2016

③ Proceeds of A/c No. 26-7289979-32  
by Pay Order No 03730773-74 dt:  
29/3/2016 for Rs: 1,85,98,049/- and  
Rs: 00.90 (Total Rs: 1,85,98,049/90) and  
received from Standard Chartered Bank  
Ma. Bor. Khr and has been credited  
vide CR No. 5114 dt: 02/4/16.

*N.*  
07.05.16.  
Dy. Navir

06/5/16



In view of the above, I do not see any impediment in granting this petition. Accordingly, the petition is allowed. Let Succession Certificate be issued in favour of the petitioner after performing all legal formalities.

At this stage, as suggested by the learned counsel Nazir of this Court is assigned task to transfer the shares in the names of the legal heirs of the deceased in terms of their entitlement, as required under the law. Nazir fee is fixed at Rs.20,000/- payable by the petitioner and other legal heirs. Since it is a non-contentious matter and the shares are being transferred through the Nazir the petitioner is exempted from furnishing surety to the extent of remaining assets/ amount lying in the bank accounts for which P.R. bonds may be executed accordingly.

  
Judge

Issue Cheque No. 68671025 Dated 24/5/16  
 for Rs. 7,20,46,057/- Rupees one crore  
twenty two lakhs sixty six thousand  
and fifty seven only in favour of  
 NAZIR Fahana Young Shah  
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 Hi  
 17-5-16

Issue Cheque No. 68671026 Dated 24/5/16  
 for Rs. 2,40,92,116/- Rupees Two crore  
forty two lakhs ninety two thousand  
 NAZIR one hundred and six thousand only  
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 Hi  
 in favour of Mustafa A. Chishti

No one turned up  
for compliance of  
Court's order dt  
27/01/16 hence the  
Case file is returned.

Hyderabad  
1.4.16

Issue Cheque No. 68671027 Dated 14/5/16  
for Rs. 2,40,92,116/- Rupees Two crore  
forty lacs Ninety two thousand  
one hundred sixteen only  
in presence of Kamal A. Chinnay  
17-5-16

Issue Cheque No. 68671028 Dated 14/5/16  
for Rs. 1,20,46,058/- Rupees one crore  
twenty lacs forty six thousand  
fifty eight only in presence of  
Saadia Shireen Rashid