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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
CHAMBER ORDER NO. 88 OF 2018
IN
TESTAMENTARY PETITION NO. 583 OF 2016**

Sanjay Shashikant Parikh	...Petitioner
<i>And</i>	
Shashikant Jivanlal Parikh	...Deceased

Mr M Mandhane, i/b S Ashwinikumar & Co., for the Petitioner.

**CORAM: G.S. PATEL, J
DATED: 26th June 2018**

PC:-

1. The attempts to serve the heirs who live overseas have, predictably, been unsuccessful since these were made through the Sheriff's Office, which in turn is relying on the Indian Postal System. The application before the Registry was for leave to serve by publication. That does not even make sense. How and in what circumstances a party living overseas is supposed to be aware of a public notice issued in print in a newspaper in Mumbai is unclear.

2. It is a far better and more effective procedure to direct the Petitioner to effect service on the heirs who are overseas through a

reputed courier company such as Fedex, UPS, Blue Dart, DHL with proof of courier delivery. Costs will be borne by the Petitioner.

3. An Affidavit of Service will be required annexing the acknowledgement returned by the courier. Tracking reports will also be sufficient.

4. Time to complete service is thus extended.

5. List the Testamentary Petition for directions on 28th August 2018.

6. The Chamber Order is disposed of in these terms. There will be no order as to costs.

(G. S. PATEL, J)