

Before: E.B. SIVAKUMAR

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 04th April, 2024

CALLED FOR DIRECTION:

10. CHOL/128/2024
(ECHCBM02126952023)

IN

TP/3302/2022

) Mr. Sushil A. Inamadar, Adv. i/b. Ajit Shrikhande for the
) Petitioner.

)

) P. C. : 1. The present Chamber Order is taken
) out to serve the Citation upon Mr. B.
) Govind, attesting witness to the Will of the
) deceased, by way of substituted service as
) per the Schedule annexed to the Chamber
) Order.

)

) 2. Perused Schedule. The Petitioner is
) seeking permission to publish the Citation
) in two newspapers viz. "Free Press
) Journal" in English Language and in
) "Navshakti" in vernacular language i.e.
) Marathi.

)

) 3. Perused the Affidavit dated 26th April
) 2023 annexed to Chamber Order. In Para
) 3, it is stated that the Shri Baloji
) Dhadoram Kawale, the other witness has
) expired. The copy of the Death Certificate
) of the said attesting witness is at Exh. A to
) the Affidavit. In Para- 7 of the it is stated
) that the letter dated 4.4.2023 sent to Mr.
) B. Govind, attesting witness to the Will of
) the deceased, was returned by the postal
) authorities with the remark "insufficient
) address. No such person".

)

) 4. In Para 8, of the Affidavit the
) petitioner has prayed that he may be

) permitted to serve citation upon the said
) attesting witness to the Will of the
) deceased by way of substitute service by
) publication of citation in local newspapers
) one in “Free Press Journal” in English
) Language and in “Navshakti” in vernacular
) language i.e. Marathi.
)

) 5. Perused the Petition. It is mentioned
) and confirmed that the averment made in
) the Affidavit in respect of the next of kin of
) the deceased, about last known address.
)

) 6. Hence, for the reasons stated in
) Affidavits dated 26th April 2023 annexed to
) the Chamber order and averment made in
) the Petition, the present Chamber Order is
) granted, and the same is signed separately.
)

) 7. Publication of Citation to be done one
) in English newspaper in “Free Press Journal”
) and one in “Navshakti” in Marathi
) newspaper in vernacular language, within
) four weeks from the date of uploading the
) order. Office is directed to issue fresh
) Citation, if required.
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) 8. Advocate to file Affidavit annexing
) therewith the newspapers within two weeks
) once, the publication is done.
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04.04.2024

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