

msm

Before : Shri E. B. Sivakumar,  
Addl. Registrar (O.S.)/  
Addl. Prothonotary and Senior Master

Date : 20<sup>th</sup> February, 2024.

**FOR DIRECTION :**

7. CHOL/49/2024

In  
TP/851/2023

Mr. Nikhil Waghmare i/b. M/s. Pirani and  
Co., Advocate for the Applicant /  
Petitioner.

P.C. : 1. The present Chamber Order is taken out to serve the Citation upon the legal heirs of the deceased viz. Mr. Hardik Mukesh Gala (Grandson of the deceased), Mr. Kunal Rajesh Gala (Grandson of the deceased) and Mrs. Hetal Rajesh Gala (Granddaughter of the deceased) by way 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 “Janmabhoomi” in vernacular language i.e. Gujarati.

3. Perused the Affidavit dated 3<sup>rd</sup> July,

..2/-

2023 annexed to Chamber Order. In Para-2 of the said Affidavit, it is stated that the a Bailiff was appointed to serve the Citation along with copy of Petition upon Mr. Hardik Mukesh Gala (Grandson of the deceased), Mr. Kunal Rajesh Gala (Grandson of the deceased) and Mrs. Hetal Rajesh Gala (Granddaughter of the deceased). The report of the Bailiff dated 13<sup>th</sup> June, 2023 at Exhibit- B, the Bailiff had stated that the non consenting legal heir at Sr. Nos.1 to 3 as per the Citation could not be served as they were not found at the address mentioned in the Citation. It is further reported by the Bailiff that upon making enquiry, it was informed to him by Mr. Manav Gala that the legal heirs at Sr. Nos.1 to 3 to the Citation are not residing in the premises and he does not know present whereabouts.

5. Hence, for the reasons stated in Affidavit dated 3<sup>rd</sup> July, 2023 annexed to the Chamber order and averment made in Para-2 of the Affidavit, the present

Chamber order is granted, and the same is signed separately.

6. Publication of Citation to be done one in English newspaper in “Free Press Journal” and one in “Janmabhoomi” in Gujarati newspaper vernacular language, within four weeks from the date of uploading the order. Office is directed to issue fresh Citation, if required.

7. Advocate to file Affidavit annexing therewith the newspapers within two weeks once, the publication is done.

20.02.2024

Addl. Registrar (O.S.)/  
Addl. Prothonotary and Senior Master