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

Date : 08th March, 2024.

FOR DIRECTION :

8.CHOL/52/2024

None for the Applicant.

In
S/144/2022

Ms. Neha Achliya i/b. Ms. Sapna Rachure,
Advocate for the Defendant No.1.

P.C. : 1. The Ld. Advocate for the Defendant No.1 submits that the copy of Chamber Order is not served upon the Defendant No.2 in Suit No.144 of 2022.

2. Adjourned to 19th March, 2024.

3. Later on mentioned by Mr. Anuj Jaiswar i/b. M/s. GM Legal, Advocate for the Applicant / Plaintiff. He submits that as directed on 27th February, 2024 an Additional Affidavit dated 4th March, 2024 is filed on 5th March, 2024.

4. The present Chamber Order is taken out to serve the Writ of Summons upon the Defendant No.2 viz. Madhuri Akhil Kachhara in Suit No.144 of 2022 by way substituted service as per the

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Schedule annexed to the Chamber Order.

5. Perused Schedule. The Applicant 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.

6. Perused the Affidavit dated 17th January, 2024 annexed to Chamber Order. In Para-3 of the said Affidavit, it is stated that the Plaintiff could not locate the whereabouts of Defendant No.2 is not known. It is further mentioned that the Bailiff was informed at the time of service of Writ of Summons that the said Unit is given on Leave and License to Intex Logistics India Pvt. Ltd. and the current address of the Defendant No.2 was not known. The Plaintiff has also filed an Additional Affidavit dated 4th March, 2024 wherein it is stated that inspite of strenuous effort and after using all due and reasonable diligence,

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the Plaintiffs could not locate the whereabouts of the Defendant No.2.

7. Hence, for the reasons stated in Affidavit dated 17th January, 2024 and Additional Affidavit dated 4th March, 2024 annexed to the Chamber order, the present Chamber order is granted, and the same is signed separately.

8. Publication of Writ Summons 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.

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

08.03.2024

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