

Before: E.B. SIVAKUMAR

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 04th April, 2024

CALLED FOR DIRECTION:

7. CHOL/98/2024
(ECHCBM02043992024)
IN
TP/2892/2023

) Mr. B. G. Saraf A/w. Mr. Suyash Kalbhor, Adv. for the
) Petitioner.

)
) P. C. : 1. The present Chamber Order is taken
) out to serve the Citation upon Mr. Jacob
) Francis D'souza brother 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 15th
) February 2024 annexed to Chamber Order.
) In Para- 2 of the said Affidavit, it is stated
) that the citation sent to Jacob Francis
) D'souza brother of the deceased, was
) returned by the postal authorities with the
) remark "left". It is further stated that the
) deceased died as spinster.
)

) 4. In Para 2, of the Affidavit the
) petitioner has sought permission to serve
) citation upon aforesaid legal heir 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 in Para 8, that the averment
) made in the Affidavit in respect of the next
) of kin of the deceased, whose addresses or
) not known to the Petitioner.
)

) 6. Hence, for the reasons stated in
) Affidavit dated 15th February 2024 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.
)

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

04.04.2024

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