

Before: E.B. SIVAKUMAR

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 04th April, 2024

CALLED FOR DIRECTION:

9. CHOL/101/2024
(ECHCBM02019442024)
IN
TP/3668/2023

) Ms. Mamta Dave, Adv. for the Petitioner.

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

P. C. : 1. The present Chamber Order is taken out to serve the Citation upon 1) Mrs. Kamal Shashikant Khadtare widow of the deceased and 2) Dipali Yogesh Bhoite married daughter 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 "Appla Mahanagar" in vernacular language i.e. Marathi.

3. Perused the Affidavit dated 20th January 2024 and Additional Affidavit dated 29th March 2024 annexed to Chamber Order. In Paras- 7 & 8 of the Additional Affidavit, it is stated that the citation sent through the Sheriff of Mumbai to 1) Mrs. Kamal Shashikant Khadtare and 2) Dipali Yogesh Bhoite of the deceased, were returned by the postal authorities with the remark "no such person in the address".

4. In Para 11, of the Affidavit the

) petitioner has sought permission to serve
) citation upon aforesaid legal heirs 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 “Appla Mahanagar” 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 20th January 2024 and
) Additional Affidavit dated 29th March 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 “Appla Mahanagar” 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.
)
)
)
)