

Before: E.B. SIVAKUMAR

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 2nd April, 2024

CALLED FOR DIRECTION:

4. CHOL/123/2024
(ECHCBM02062102024)
IN
TP/4566/2022

) Mr. Prabhu Velar, Adv. Ashwin Ankhad & Associates for the
) Petitioner.

)
) P. C. : 1. The present Chamber Order is taken
) out to serve the Citation upon Deepak
) Gajanan Potdar, son 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 22nd
) February 2024 annexed to Chamber Order.
) In Para-4 of the said Affidavit, it is stated
) that the citation sent to Deepak Gajanan
) Potdar son of the deceased, through the
) Office of Sheriff of Mumbai. It is further
) stated that the citation sent through the
) Office of Sheriff of Mumbai could not be
) served, as the Postal Authorities returned
) the envelope with the remark "
) unclaimed".

)
) 4. In Para 6, the petitioner has sought
) permission to serve citation upon aforesaid
) son 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 which is not claimed by the
) son of the deceased.
)

) 6. Hence, for the reasons stated in
) Affidavit dated 22nd 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.
)
)
)

02.04.2024

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