

Before: E.B. SIVAKUMAR

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 04th April, 2024

CALLED FOR DIRECTION:

12. CHOL/130/2024
(ECHCBM02015762024)

IN

TP/4204/2022

) Mr. S. U. Lakdawala with Ms. Jyoti Badgujar, Adv. for the
) Petitioner.

)

) P. C. : 1. The present Chamber Order is taken
) out to serve All Concerned Citation upon
) the legal heirs 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 All
) Concerned 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 10th April
) 2023 annexed to Chamber Order. In Para-
) 2 of the said Affidavit, it is stated that the
) deceased had no son and the petitioner is
) the adopted daughter. It is further stated
) that the husband of the deceased
) predeceased the deceased and her
) husband do not have any brother or sisters
) or heirs from his parents side.

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) 4) In para 3 of the said Affidavit, it is
) stated that the Petitioner is not aware
) about the whereabouts of the legal heirs
) of the deceased. 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
) “Janmabhoomi” in vernacular language i.e.
) Gujarati.
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) 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, whose addresses or not
) known to the Petitioner.
)

) 6. Hence, for the reasons stated in
) Affidavit dated 10th April 2023 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 in
) newspapers i.e. in “Free Press Journal” in
) English language and one in
) “Janmabhoomi” in vernacular language i.e.
) Gujarati, within four weeks from the date of
) uploading the order. Office is directed to
) issue fresh Citation, if required.
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) 8. Advocate to file Affidavit annexing
) therewith the newspapers within two weeks
) once, the publication is done.
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04.04.2024

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