

Before: E.B. SIVAKUMAR

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 04th April, 2024

CALLED FOR DIRECTION:

13. CHOL/131/2024
(ECHCBM02061752024)
IN
TS/66/2019

) Mr. Jeffrey Joseph a/w. Sanjay Sinha, Adv. for the
) Petitioner.
)

) P. C. : 1. The present Chamber Order is taken
) out to serve the Citation upon Ms. Leonila
) Gomes, niece 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 20th March
) 2024 annexed to Chamber Order. In Para-
) 5 of the said Affidavit, it is stated that the
) citation sent through the Sheriff of
) Mumbai to Ms. Leonila Gomes, niece of
) the deceased, and it was reported by the
) Baliff that the said legal heir was not
) found at the address and on making
) inquiry, it was informed to him that her
) whereabouts are not known.
)

) 4. In Para 6, it is stated that the
) Petitioner has taken out the present
) Chamber Order for permission to publish
) the citation in two 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, whose addresses or not
) known to the Petitioner.
)
) 6. Hence, for the reasons stated in
) Affidavit dated 20th 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 in
) English newspaper in “Free Press Journal”
) and 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**