

msm

Before : Shri E. B. Sivakumar,
Addl. Registrar (O.S.)/
Addl. Prothonotary and Senior Master

Date : 17th April, 2024.

FOR DIRECTION :

9. CHOL/154/2024
In
TP/3872/2023

Ms. Rohini Khedekar i/b. Hemen Thakkar,
Advocate for the Applicant / Petitioner.

P.C. : 1. The present Chamber Order is taken out to serve the Citation upon the legal heirs of the deceased viz. Philips Pinto (Brother of the deceased), Vero Pinto (Brother of the deceased) and Balbina Pinto (Married Sister of the deceased) by way 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 “Navashakti” in vernacular language i.e. Marathi.

3. Perused the Affidavit dated 14th February, 2024 annexed to Chamber Order. In Para-3 of the said Affidavit, it is stated

..2/-

that the Petitioner is not aware of the whereabouts of the legal heirs of the deceased viz. Philips Pinto (Brother of the deceased), Vero Pinto (Brother of the deceased) and Balbina Pinto (Married Sister of the deceased). It is further stated in the Affidavit that during the lifetime of the deceased it was not mentioned about whereabouts of his Brothers and Sister since, there were no cordial relations with the deceased. The Applicant therefore requested to permit him to publish the Citation by way of substitute service by publication.

4. Perused Para-8 of the Petition, it is mentioned and confirmed that the averment made in the Affidavit in respect of the addresses not known to the Petitioner.

5. Hence, for the reasons stated in Affidavit dated 14th February, 2024 annexed to the Chamber order and averment made in Para-8 of the Petition, the present Chamber order is granted, and the same is

signed separately.

6. Publication of Citation to be done one in English newspaper in “Free Press Journal” and one in “Navashakti” in Marathi newspaper vernacular language, within six weeks from the date of uploading the order. Office is directed to issue fresh Citation, if required.

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

17.04.2024

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