

msm

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

Date : 30th April, 2024.

FOR DIRECTION :

5. CHOL/186/2024
In
TP/247/2024

Mr. Vidit D. Kumat, Advocate for the
Applicant / Petitioner.

P.C. : 1. The present Chamber Order is taken out to serve the Citation upon Shanti Vishwabandhu Dubey, widow of the deceased, by way publication in two local newspapers, 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 “Yashobhumi” in vernacular language i.e. Hindi.

3. Perused the Affidavit dated 5th April 2024 annexed to Chamber Order. In Para-3 of the said Affidavit, it is stated that the widow of the deceased has been living separately from the deceased and

..2/-

: 2 :

his family since April 1999 and in relation to which the deceased had filed a M.P. No.419 of 2005 for judicial separation in District Court at Thane. It is further stated that the said petition was disposed of on 16.12.2008 non-prosecution by the parties. It is further stated in para 4 that the present address and whereabouts of the said widow of the deceased are not known to the Petitioner and there are no other legal heirs of the deceased.

4. Perused Para-8 of the Petition, it is mentioned and confirmed that the averments made in the Affidavit that the whereabouts of the legal heirs of the deceased are not known to the Petitioner.

5. Hence, for the reasons stated in Affidavit dated 3rd April, 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.

..3/-

: 3 :

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

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

30.04.2024

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