

msm

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

Date : 9th May, 2024.

FOR DIRECTION :

6. CHOL/205/2024
In
TP/2366/2022

Mr. Akash Gaonkar, Advocate for the
Applicant / Petitioner.

P.C. : 1. The present Chamber Order is taken out to serve the Citation upon Mr. Zacharious Anthony Miranda (Son of the deceased) the legal heir 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 “Navshakti Times” in vernacular language i.e. Marathi.

3. Perused the Affidavit of Bailiff dated 17th July, 2023 and Affidavit of Applicant dated 16th February, 2024 annexed to Chamber Order. In Para-2

..2/-

of the said Affidavit, it is stated that Mr. Zacharious Anthony Miranda (Son of the deceased) is not residing at the address known to the Petitioner and further stated that address at Patra Chawl, Varoda Chapel Road, Bandra (West), Mumbai – 50, could not be found and a new building was under construction upon making the enquiry with Security Guard, it was informed that he does not know the present whereabouts of Mr. Zacharious Anthony Miranda (Son of the deceased). In the Affidavit dated 16th February, 2024, it is requested that the Petitioner may be permitted to serve the Citation upon Mr. Zacharious Anthony Miranda (Son of the deceased) by way publication in two newspapers.

4. Perused Para-4 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 17th July, 2023 and Affidavit dated 16th February, 2024 annexed to the Chamber order and averment made in Para-4 of the Petition, the present Chamber order is granted, and the same is signed separately.

6. Publication of Citation to be done in English newspaper in “Free Press Journal” and in “Navshakti Times” in Marathi newspaper vernacular language, within eight 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.

09.05.2024

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