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

Date : 22nd July, 2024.

FOR DIRECTION :

1. CHOL/297/2024
In
TP/2408/2023

Mr. Vasim Siddiqui, Advocate for the
Applicant / Petitioner.

P.C. : 1. The present Chamber Order is taken out to serve the Citation upon (1) Rustom Fali Irani (Nephew of the deceased) (2) Sheroo Dara Pagdiwalla (Niece of the deceased) (3) Dolly Shahpoor Irani (Niece of the deceased) (4) Dolly Soli Irani (Sister-in-law of the deceased) (5) Farishta Faroukh Irani (Niece of the deceased) (6) Yazdi Soli Irani (Nephew of the deceased) and (7) Gev Soli Irani (Nephew 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 “Jame Jamshed” in vernacular language

i.e. Gujarati.

3. Perused the Affidavit dated 1st March, 2024 annexed to Chamber Order. In Para-3 of the said Affidavit, it is stated that the Applicant / Petitioner could not locate the present residential addresses of the legal heirs of Late Fali Merwan Irani and Mr. Soli Merwan Irani and their addresses are also not known as they are not contact with any family members, friends, relatives, local priest or neighbours. It is further mentioned that they had not attended the funeral of the deceased nor they are attending any religious or family gathering during the life of the deceased. It is therefore Applicant sought permission to publish the Citation.

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 1st March, 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 in two newspapers viz. (1) “Free Press Journal” in English and (2) “Jame Jamshed” in Gujarati 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.

22.07.2024

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