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

Date : 6th August, 2024

CALLED FOR DIRECTION:

6.CHOL/351/2024) Mr. Vikas G. Saindane, Advocate for the Applicant /
In) Petitioner.
WP/3133/2019)

) P. C. : 1. The present Chamber Order is taken out to serve
) the Notice together with copy of Petition upon (1)
) Mr. Anthony J. Fernandez (Respondent No.5), (2)
) Ms. Mercy J. Fernandez (Respondent No.6), (3) Ms.
) Cleta J. Fernandez (Respondent No.8), and (4) Mr.
) Seigbird J. Fernandez (Respondent No.9) by way
) substituted service as per the Schedule annexed to
) the Chamber Order.
)
)

) 2. Perused Schedule. The Petitioner is seeking
) permission to publish the Notice together with copy
) of Petition in two newspapers viz. "Free Press
) Journal" in English Language and in "Navshakti" in
) vernacular language i.e. Marathi and also affixing on
) the conspicuous part of the last known residential
) address of Respondent Nos.5, 6, 8 and 9.
)
)

) 3. Perused the Affidavit dated 10th May, 2024
) annexed to Chamber Order. In Para-2 of the said
) Affidavit, it is stated that the Hon'ble Court vide
) order dated 12th August, 2021, Notice was issued to
) the Respondents except Respondent Nos.1, 2 and 4.
) The Notice was served upon the Respondent Nos.3
) and 7 but the service upon Respondent Nos.5, 6, 8
) and 9 could not be done through the Bailiff. The
) Bailiff had submitted in his Report dated
)

..2/-

) : 2 :

) 8th September, 2021 that the address of the
) Respondent No.5 is incomplete, door was locked at
) the residence of Respondent No.6, Respondent No.8
) had left the address and Respondent No.9 is not
) residing at the address since last two years. In view
) of the above, the Applicant has submitted for
) permission for substituted service of Notice together
) with copy of Petition by way publication and
) affixing on the conspicuous part of the last known
) residential address of Respondent Nos.5, 6, 8 and 9.
)

) 4. Heard, the Ld. Advocate for the Petitioner. For
) the reasons stated in Affidavit dated 10th May, 2024
) annexed to the Chamber order, the present Chamber
) order is granted, and the same is signed separately.
)

) 5. Publication of Notice together with copy of
) Petition to be done in two newspapers viz. (1) "Free
) Press Journal" in English and (2) "Navshakti" in
) Marathi language and also affixing on the
) conspicuous part of the last known residential
) address of Respondent Nos.5, 6, 8 and 9, within four
) weeks from the date of uploading the order.
)

) 6. Applicant to file Affidavit annexing therewith
) the newspapers within two weeks once, the
) publication is done.
)

06.08.2024

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