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

Date : 10th October, 2024

CALLED FOR DIRECTION:

2.CHOL/435/2024) Mr. Rahul Bothra, Advocate for the Applicant /
In) Petitioner.
TP/2024/2024)

) P. C. : 1. The present Chamber Order is taken out to
) serve the Citation upon (1) Ajit Mishra, (2)
) Abhishek Ajit Mishra, (3) Abhimanyu Ajit Mishra
) and (4) Roop Hari Bhagnari, legal heirs of the
) deceased by way of 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 "Navbharat Times" in vernacular
) language i.e. Hindi.
)

) 3. Perused the Affidavit dated 20th June, 2024
) annexed to Chamber Order. It is stated in the said
) Affidavit that the Citation for service sent to Roop
) Hari Bhagnari, legal heir of the deceased brother's
) daughter is returned by the Postal Authorities with a
) remark "left" and the address of (1) Ajit Mishra, (2)
) Abhishek Ajit Mishra, (3) Abhimanyu Ajit Mishra,
) legal heir of the deceased are not known to the
) Petitioner. It is further stated that since, the
) Petitioner had left Indian in the year-2011 and
) shifted to New Jersey, U.S.A., the above named
) legal heirs of the deceased are not in touch with nor
) met each other. It is further stated that the Petitioner
) had taken search of the resident of the said legal

..2/-

) : 2 :

) heirs from the relatives but they were also not aware
) their whereabouts.
)

) 4. Perused the Petition. In Para-9 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. Heard. The Ld. Advocate for the Applicant
) submit that the (1) Ajit Mishra, (2) Abhishek Ajit
) Mishra, (3) Abhimanyu Ajit Mishra and (4) Roop
) Hari Bhagnari, legal heirs of the deceased could not
) be served with citation and their whereabouts are
) not known to the Applicant. He further submits that
) the Applicant is not aware of the whereabouts of the
) said legal heirs of the deceased. He therefore prays
) that the Chamber Order be allowed. For the reasons
) stated in Affidavit dated 20th June, 2024 annexed to
) the Chamber order and averment made in Para-9 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) "Navbharat Times" in Hindi language,
) within four weeks from the date of uploading the
) order. Office is directed to issue fresh Citation, if
) required.
)

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

10.10.2024

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