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

Date : 08th October, 2024

CALLED FOR DIRECTION:

3.CHOL/436/2024) Ms. Darshana Manjrekar a/w. Ms. Nisha Sharma,
In) Advocate for the Applicant / Petitioner.
TP/2436/2023)

) P. C. : 1. The present Chamber Order is taken out to
) serve the Citation upon Nirmala Balkrishna Ahir
) (Wife of Brother of Deceased No.1) 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 "Navshakti" in vernacular
) language i.e. Marathi.
)

) 3. Perused the Affidavit dated 10th August, 2024
) annexed to Chamber Order. In Para-3 of the said
) Affidavit, it is stated that one of the legal heirs, the
) Brother of Deceased No.1 and Brother-in-law of
) Deceased No.2 viz. Balkrishna Laxman Ahir died
) on 19th February, 2021 leaving behind his wife
) Nirmala Balkrishna Ahir. It is further stated that on
) 7th June, 2024an attempt was made to serve the
) citation upon the said Nirmala Balkrishna Ahir at
) the last known address through Bailiff, but the
) same was returned by the Bailiff as the said legal
) heir was not found at the said address. It is further
) stated that the occupant of neighbouring flat
) informed the Bailiff that the said legal heir has left
) the premises long back and her present
) whereabouts are not known. ..2/-

) : 2 :

) The Applicant therefore prayed for publication of
) citation in two newspapers viz. “Free Press Journal”
) in English Language and in “Navshakti” in
) vernacular language i.e. Marathi.
)

) 4. Perused Para-6 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
) submits that the Mrs. Nirmala Balkrishna Ahir, legal
) heir of the Deceased Nos.1 and 2 could not be served
) with citation and her whereabouts are not known to
) the Applicant. She further submits that the Applicant
) had made enquiry with friends and relatives about her
) whereabouts but none of them are aware of her
) address. He therefore prays that the Chamber Order
) be allowed. For the reasons stated in Affidavit dated
) 10th August, 2024 annexed to the Chamber order and
) averment made in Para-6 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) “Navshakti” in Marathi 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.

08.10.2024

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