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

**Date : 7<sup>th</sup> October, 2024**

**CALLED FOR DIRECTION:**

**5.CHOL/442/2024 ) Mr. V. K. Rajbhar a/w. Geeta Patil and R. T. Kharkar,**  
**In ) Advocate for the Applicant / Petitioner.**  
**TP/5051/2022 )**

) P. C. : 1. The present Chamber Order is taken out to  
) serve the Citation upon (1) Mr. Pravin Biharilal  
) Brahmne (Son of the deceased) and (2) Mr. Pavan  
) Biharilal Brahmne (Son 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 "Navshakti" in vernacular  
) language i.e. Marathi.  
)

) 3. Perused the Affidavit dated 25<sup>th</sup> June, 2024  
) annexed to Chamber Order. In Para-3 of the said  
) Affidavit, it is stated that the Citation was sent for  
) service through Bailiff of Sheriff of Bombay on 13<sup>th</sup>  
) February, 2024. It is further stated that the Bailiff  
) visited the premises on 4<sup>th</sup> March, 2024 and  
) reported that the residential addresses of legal heirs  
) is already demolished and found new building. It is  
) further stated that the Applicant had made diligent  
) search for getting other address from heirs and  
) relatives but none have been found. The Affidavit  
) dated 20<sup>th</sup> March, 2024 filed by the Bailiff is at  
) Exhibit – "A" to Affidavit in Support of the  
) Chamber Order.  
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4. Perused 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 / Petitioner submits that the Citation could not be served upon the sons of the deceased as their addresses were not known to the Bailiff as the building was demolished. He further submits that the Petitioner be permitted to serve the Citation upon the sons of the deceased by publication in two newspapers viz. “Free Press Journal” in English Language and in “Navshakti” in vernacular language i.e. Marathi. For the reasons stated in Affidavit dated 25<sup>th</sup> June, 2024 annexed to the Chamber order and averment made in 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.

**07.10.2024**

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