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

Date : 25th October, 2024

CALLED FOR DIRECTION:

1.CHOL/458/2024) Ms. Riddhi Vora i/b. Mr. Satish J. Agarwal, Advocate
In) for the Applicant / Petitioner.

TP/515/2023

)
) P. C. : 1. The present Chamber Order is taken out to
) serve the Citation upon Abhaykumar Champalal
) Jain (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 "Navbharat" in vernacular
) language i.e. Hindi.
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) 3. Perused the Affidavit dated 18th April, 2024
) annexed to Chamber Order. In the said Affidavit, it
) is stated that the Citation sent for service upon
) Abhaykumar Champalal Jain, legal heir of the
) deceased at his last known address through the
) Sheriff of Bombay by RPAD was returned by the
) Postal Authorities with remark "Left". It is further
) stated that the Bailiff has filed an Affidavit of
) Service dated 26th December, 2024, a copy of the
) same is at Exhibit - "A" to the Affidavit in Support.
) The Applicant therefore requested to permit him to
) publish the Citation upon him by way of substituted
) service by publishing in two newspapers viz. "Free
) Press Journal" in English Language and in
)

..2/-

) : 2 :

) “Navbharat” in vernacular language i.e. Hindi.
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) 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. Heard. The Ld. Advocate for the Applicant
) submits that the Abhaykumar Champalal Jain (Son
) of the deceased) could not be served as the citation
) sent for service at the last known address was
) returned by the Postal Authority with a remark
) “Left” and his whereabouts are not known to the
) Applicant. He therefore prays that the Chamber
) Order be allowed. For the reasons stated in Affidavit
) dated 18th April, 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) “Navbharat” in Hindi language, within six
) 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.

25.10.2024

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