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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:

2.CHOL/490/2024) Ms. Shubhangi Sarang, Advocate for the Applicant /
In) Petitioner.
TP/2577/2024)

) P. C. : 1. The present Chamber Order is taken out to serve
) the Citation upon Vithabai Vitthal Nakhwa (Daughter
) of the deceased) and all concerned 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 26th August, 2024
) annexed to Chamber Order. In the said Affidavit, it is
) stated that the Citation sent for service upon Vithabai
) Vitthal Nakhwa (Daughter of the deceased) at her last
) known address through the Sheriff of Bombay by
) RPAD was returned by the Postal Authorities with
) remark "Door locked". It is further stated that the
) Applicant had enquired about the whereabouts of the
) said Daughter of the deceased with relatives and
) friends but nobody has any information about her
) whereabouts. The Applicant therefore requested to
) permit her to publish the Citation upon the daughter
) of the deceased and all concerned by way of
) substituted service by publishing in two newspapers
) viz. "Free Press Journal" in English Language and in
) "Navshakti" in vernacular language i.e. Marathi.
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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 Vithabai Vitthal Nakhwa (Daughter
) of the deceased) and all concerned could not be
) served as the citation sent for service at the last
) known address was returned by the Postal Authority
) with a remark “Door locked” and their whereabouts
) are not known to the Applicant. She therefore prays
) that the Chamber Order be allowed.
)

) 6. For the reasons stated in Affidavit dated 26th
) August, 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.
)

) 7. Publication of Citation to be done in two
) newspapers viz. (1) “Free Press Journal” in English
) and (2) “Navshakti” in Marathi language, within six
) weeks from the date of uploading the order. Office
) is directed to issue fresh Citation, if required.
)

) 8. 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