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

Date : 22nd October, 2024

CALLED FOR DIRECTION:

2.CHOL/491/2024) Ms. Atiksha Jain i/b. M/s. HN Legal, Advocate for the
In) Applicant / Petitioner.

TP/4164/2023)

) P. C. : 1. The present Chamber Order is taken out to
) serve the Citation upon Nikhil Pandya (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 16th September,
) 2024 annexed to Chamber Order. In the said
) Affidavit, it is stated that the Citation was sent for
) service through the Bailiff but the same could not be
) served upon Nikhil Pandya. It is further stated that
) the Bailiff has filed an Affidavit dated 3rd August,
) 2024, wherein it is stated that the Citation was sent
) through R.P.A.D. but the same was returned by the
) Postal Department with a Postal remark “No such
) person in the address”. The Applicant therefore
) requested to permit them to publish the Citation
) upon Nikhil Pandya (Son of the deceased) by way
) of substituted service by publishing in two
) newspapers viz. newspapers viz. “Free Press
) Journal” in English Language and in “Navshakti” in
)

..2/-

) : 2 :

) vernacular language i.e. Marathi.
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) 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 Nikhil Pandya (Son of the
) deceased) could not be served with citation and his
) whereabouts are not known to the Applicant. He
) further submits that the Applicant is not aware of
) the whereabouts of the said Nikhil Pandya (Son of
) the deceased). He therefore prays that the Chamber
) Order be allowed. For the reasons stated in Affidavit
) dated 16th September, 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.

22.10.2024

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