

ary

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

Date : 05th December, 2024

CALLED FOR DIRECTION:

**3.CHOL/494/2024
(ECHCBM02155862024)
in
TP/1929/2018**

) **Mr. R. L. Gonsalves, Advocate for the Applicant/**
) **Petitioner.**

)
) **P. C. :** 1. The present Chamber Order is taken out to
) serve the Citation upon (i) Melita Menezes d/o
) Donald Menezes, (ii) Jacqueline alias Sarika B.
) Sakpal and (iii) two daughters of Rudolf
) Baptista, the beneficiaries 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 “Nav Bharat” in
) vernacular language i.e. Hindi.

)
) 3. Perused the Affidavit in support dated
) 30th July, 2024 annexed to Chamber Order. In
) the said Affidavit, it is stated that the deceased
) died as widow and was issueless and the
) Petitioner is not aware about some of the
) beneficiaries of the deceased as mentioned in
) paragraph Nos. 12, 13 and 15 of the last Will
) and Testament dated 23.04.2007.

)
) 4. Perused Additional Affidavit dated
) 03.12.2024. In the said Affidavit, it is stated in
) the Petitioner had made inquiries about the
) whereabouts of the said beneficiaries however,
) despite several efforts, he was unable to find out

....2/-

) the present postal address of the aforesaid
) beneficiaries. The Applicant therefore prayed
) for publication of Citation by way of
) substituted service upon the aforesaid
) beneficiaries of the deceased.
)

) 5. Perused Para - 3 of the Petition, it is
) mentioned and confirmed that the averment
) made in the Affidavit in respect of the addresses
) not known to the Petitioners.
)

) 6. Heard. The Ld. Advocate for the
) Applicant submits that despite despite several
) efforts, he was unable to find out the present
) postal address of the aforesaid beneficiaries.
) The Applicant therefore prays that the
) Chamber Order be allowed.
)

) 7. For the reasons stated in Affidavit in
) support dated 30.07.2024 and Additional
) Affidavit in support dated 03.12.2024
) respectively annexed to the Chamber order and
) averment made in Para- 3 of the Petition, the
) present Chamber order is granted, and the same
) is signed separately. Publication of Citation to
) be done in two newspapers viz. (1) "Free Press
) Journal" in English and (2) "Nav Bharat" in
) Hindi language, within four 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.
)

05.12.2024

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