

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

CALLED FOR DIRECTION:

) P. C. : 1. The present Chamber Order is taken out to
) serve the Citation upon (1) Kamlakar Gangaram
) Yadav (Son of the deceased), (2) Asha Suryakant
) Yadav (Daughter-in-law of the deceased), (3) Vidya
) Ravindra Chaudary (Grand-daughter of the
) deceased), (4) Shalaka Ganesh Sawant (Grand-
) daughter of the deceased) and (5) Priya Vijay
) Deshpande (Daughter 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 15th October, 2024 annexed to Chamber Order. In the said Affidavit, it is stated that the Citation sent for service upon (1) Kamlakar Gangaram Yadav (Son of the deceased), (2) Asha Suryakant Yadav (Daughter-in-law of the deceased), (3) Vidya Ravindra Chaudary (Grand-daughter of the deceased), (4) Shalaka Ganesh Sawant (Grand-daughter of the deceased) and (5) Priya Vijay

Deshpande (Daughter of the deceased) was returned on 7th August, 2024. It is further stated that the Applicant had tried to search the whereabouts of the legal heirs of the deceased from family friends, relatives but despite due and diligent search he could not hear from anyone. The Applicant therefore requested to permit him to publish the Citation upon the aforesaid legal heirs of the deceased 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.

4. Perused Para-8 of the Petition, it is mentioned and confirmed that the averment made in the Affidavit in respect of the last known addresses of the aforesaid legal heirs of the said deceased.

5. Heard. The Ld. Advocate for the Applicant submits that the aforesaid legal heirs could not be served as the citation sent for service at the last known address through the Sheriff of Bombay was returned by the Postal Authorities with a remark "Not known". He further submits that the Bailiff of Sheriff of Bombay had filed an Affidavit of Service dated 2nd September, 2024. A copy of the Affidavit of Service is at Exhibit- "A". He further submits that the Applicant had tried to search the whereabouts of the legal heirs of the deceased from family friends, relatives but despite due and diligent search he could not hear from anyone. He therefore prays that the Chamber Order be allowed.

6. For the reasons stated in Affidavit dated ..3/-

