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

Date : 13th November, 2024

CALLED FOR DIRECTION:

4.CHOL/504/2024) Ms. Mamta Dave, Advocate for the Applicant /
In) Petitioner.
TP/69/2023)
) P. C. : 1. The present Chamber Order is taken out to
) serve the Citation upon the non-consenting
) legal heirs of Late Pradeepkumar Kanjibhai
) Parekh of the said deceased i.e. Naina Praful
) Zatakiya sister of the said deceased and Kirti
) Kanjibhai Parekh brother 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 “Janmabhoomi” in
) vernacular language i.e. Gujarati.
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)
) 3. Perused the Affidavit dated 20th August,
) 2024 annexed to Chamber Order. It is stated in
) the said Affidavit that the citation sent to Naina
) Praful Zatakiya, one of the married sister of
) Late Pradeepkumar Kanjibhai Parekh at Mira
) Road East, through the Sheriff of Bombay was
) returned with the remark “Left”. It is further
) stated that the Citation sent to Kirti Kanjibhai
) Parekh brother of Late Pradeepkumar Kanjibhai
) Parekh of the deceased at Mira Road East
)
) ..2/-

) : 2 :

) through the Bailiff was returned with the
) remark “Refused”. The Bailiff has filed an
) Affidavit of Service dated 12th June, 2024. The
) Applicant therefore requested to permit him to
) publish the Citation upon non-consenting legal
) heirs of Late Pradeepkumar Kanjibhai Parekh of
) the said deceased i.e. Naina Praful Zatakiya
) sister of the said deceased and Kirti Kanjibhai
) Parekh brother of the deceased by way of
) substituted service by publishing in two
) newspapers viz. “Free Press Journal” in English
) Language and in “Janmabhoomi” in vernacular
) language i.e. Gujarati.
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) 4. Perused Para-10 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 deceased died as bachelor. He
) further submits that the citation sent to Naina
) Praful Zatakiya, one of the married sister of
) Late Pradeepkumar Kanjibhai Parekh through
) the Sheriff of Bombay was returned with the
) remark “Left” and the Citation sent to Kirti
) Kanjibhai Parekh brother of Late Pradeepkumar
) Kanjibhai Parekh of the deceased through the
) Bailiff was returned with the remark “Refused”.
) He therefore prays that the Chamber Order be
) allowed. For the reasons stated in Affidavit dated
) 20th August, 2024 annexed to the Chamber order
) and averment made in Para-10 of the Petition, the
) present Chamber order is granted, and the same
) is signed separately. ..3/-
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