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

Date : 04th December, 2024

CALLED FOR DIRECTION:

3.CHOL/526/2024) Ms. Swati S. Mathkar i/b. Mr. Shirish P. Mathkar,
In) Advocate for the Applicant / Petitioner.
TP/4275/2024)
)
) P. C. : 1. The present Chamber Order is taken out
) for publication of Notice issued to (1) Coomi P.
) Kapadia and (2) Freny M. Marker, both the
) Attesting Witnesses by way of substituted
) service as per the Schedule annexed to the
) Chamber Order.
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) 2. Perused Schedule. The Petitioners are
) seeking permission to publish the Citation in
) two newspapers viz. "Free Press Journal" in
) English Language and in "Parsi Times" in Parsi
) Newspaper.
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) 3. Perused the Affidavit dated 11th
) November, 2024 annexed to Chamber Order.
) In the said Affidavit, it is stated that (1) Coomi
) P. Kapadia and (2) Freny M. Marker are the
) Attesting Witnesses to the Will and Testament
) dated 11th September, 2006 of the deceased. It
) is further stated that both the Attesting
) Witnesses are not known to the Petitioner and
) the Petitioner had taken all necessary steps to
) find out the whereabouts of the said Attesting
) Witnesses but could not find out them. The
) Petitioner is praying for publication of Notice
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) ..2/-
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: 2 :

as per the Notice annexed to the Chamber Order, in two newspapers as per the Schedule annexed.

4. Heard. The Ld. Advocate for the Applicant submits that the (1) Coomi P. Kapadia and (2) Freny M. Marker are the Attesting Witnesses to the Will and Testament dated 11th September, 2006 of the deceased. She further submits that both the Attesting Witnesses are not known to the Petitioner and the Petitioner had taken all necessary steps to find out the whereabouts of the said Attesting Witnesses but could not find out them. She therefore prays that the Chamber Order be allowed.

5. For the reasons stated in Affidavit dated 11th October, 2024 annexed to the Chamber order, the present Chamber order is granted, and the same is signed separately. Publication of Notice to be done in two newspapers viz. “Free Press Journal” in English Language and in “Parsi Times” in Parsi Newspaper, within four weeks from the date of uploading the order.

6. Applicant to file Affidavit annexing therewith the newspapers within two weeks once, the publication is done.

04.12.2024

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