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

Date : 10th December, 2024

CALLED FOR SPEAKING TO MINUTES :

1.CHOL/526/2024) Mr. Shirish P. Mathkar, Advocate for the Applicant /
In) Petitioner.
TP/4275/2024)
) P. C. : 1. It appears from the Minutes of Order
) dated 4th December, 2024, there are some
) typographical errors. Therefore the said order
) stands corrected and should be read as under :
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) “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**
) **Notice as per Notice annexed to Chamber**
) **Order** 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
) **October**, 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
) ..2/-
)

11th September, 2006 of the deceased. It is further stated that **whereabouts of** 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 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 **whereabouts of** 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

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: 3 :

“Parsi Times” in Parsi Newspaper, within four weeks from the date of uploading the order.

6. Applicant to file Affidavit annexing therewith **the publication of Notice in aforesaid both** newspapers within two weeks once, the publication is done.”

2. Registry to take steps accordingly.

10.12.2024

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