

msm

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

Date : 04th December, 2024

CALLED FOR DIRECTION:

6.CHOL/544/2024) Mr. Prabhu Velar, Advocate for the Applicant /
In) Petitioner.
TP/2413/2023)
)
) P. C. : 1. The present Chamber Order is taken out
) to serve the Notice upon Ramona Jaydeep
) Garware (Wife 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 Notice in
) two newspapers viz. "Free Press Journal" in
) English Language and in "Navshakti" in
) vernacular language i.e. Marathi.
)
)
) 3. Perused the Affidavit dated 23rd
) September, 2024 annexed to Chamber Order.
) In the said Affidavit, it is stated that the Notice
) was sent to Ramona Jaydeep Garware (Wife of
) the deceased) but the same was returned and
) an Affidavit of Service of the Notice is filed. In
) the Affidavit of Service dated 26th June, 2024
) annexed to the Affidavit in Support at Exhibit
) – "A", the Bailiff had stated that the packet
) containing the Citation and Petition was
) returned on 14th May, 2024 with a remark
) "Addressee left without instruction". The
) Applicant has further stated that she had tried
) ..2/-
)

to search the whereabouts of the wife of the deceased from family, friends and relatives but despite due and diligent search she could hear from anyone. The Applicant therefore prayed for publication of Notice by way of substituted service upon wife of the deceased.

4. Perused Para-4 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 issueless and the Notice was sent for service at the last known address of Ramona Jaydeep Garware (Wife of the deceased) but the same was returned with a remark "Addressee left without instruction". He further submits that an Affidavit of Service dated 26th June, 2024 is filed by the Bailiff. He further submits that the Applicant had tried to search the whereabouts of the wife of the deceased from family, friends and relatives but despite due and diligent search she could hear from anyone. He therefore prays that the Chamber Order be allowed.

6. For the reasons stated in Affidavit dated 23rd September, 2024 annexed to the Chamber order and averment made in Para-4 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.

)
)
)
)
)
)
)
)
)
)

: 3 :

(1) "Free Press Journal" in English and (2) "Navshakti" in Marathi language, within four weeks from the date of uploading the order. Office is directed to issue fresh Citation, if required.

7. 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**