

msm

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

Date : 04th December, 2024

CALLED FOR DIRECTION:

9.CHOL/550/2024) Mr. Jayant Arjun Wani, Advocate for the Applicant /
In) Petitioner.
TP/204/2020)
) P. C. : 1. The present Chamber Order is taken out
) to serve the Citation upon legal heirs of Mr.
) Prakash Janardan Pawaskar, 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 "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 deceased died as
) issueless. The husband of the deceased had
) no brother and sister as well as no heirs from
) her husband side. It is further stated that her
) brother Mr. Prakash Janardan Pawaskar,
) whose whereabouts are not known as the
) citation sent for service upon him returned
) unserved with a remark "the Addressee was
) not found". It is further stated that the Bailiff
) had filed an Affidavit of Service dated 17th
) January, 2024. The Applicant has further
) ..2/-

)
)
) stated that upon making enquiry with
) neighbours and the security guard of the said
) society, who had informed that the said
) building is went for redevelopment and they
) do not know the whereabouts of the brother
) of the deceased. The Applicant therefore
) prayed for publication of Citation by way of
) substituted service upon the said brother of
) the deceased.
)
)

)
) 4. Perused Para-9 of the Petition, it is
) mentioned and confirmed that the averment
) made in the Affidavit in respect of the
) addresses not known to the Petitioners.
)
)

)
) 5. Heard. The Ld. Advocate for the Applicant
) submits that the deceased died as issueless.
) The husband of the deceased had no brother
) and sister as well as no heirs from her
) husband side. He further submits that her
) brother Mr. Prakash Janardan Pawaskar,
) whose whereabouts are not known as the
) citation sent for service upon him returned
) unserved with a remark "the Addressee was
) not found" and the Bailiff had filed an
) Affidavit of Service dated 17th January, 2024.
) He further submits that upon making enquiry
) with neighbours and the security guard of the
) said society, who had informed that the said
) building is went for redevelopment and they
) do not know the whereabouts of the brother
) of the deceased. He therefore prays that the
) Chamber Order be allowed.
)
)

