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

Date : 17th December, 2024

CALLED FOR DIRECTION:

4.CHOL/572/2024) Mr. Yogesh Morbale i/b. Mr. Shantanu Kalekar, Advocate for
In) the Applicant / Petitioner.
TP/2021/2024)

) P. C. : 1. The present Chamber Order is taken out to
) serve the Citation upon Nipa Deepak Zaveri
) (Daughter 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 "Mumbai Samachar" in vernacular
) language i.e. Gujarati.
)

) 3. Perused the Affidavit dated 18th November,
) 2024 annexed to Chamber Order. It is stated in the
) said Affidavit that the Citation sent for service upon
) Nipa Deepak Zaveri (Daughter of the deceased)
) could not be effected due to door of her flat found
) locked. A copy of Affidavit of Service dated 2nd
) August, 2024 filed by Sheriff of Bombay, a copy of
) the same is annexed to the Affidavit in Support at
) Annexure – "B". The Applicant therefore requested
) to permit her to publish the Citation upon Nipa
) Deepak Zaveri by way of substituted service by
) publishing in two newspapers viz. "Free Press
) Journal" in English Language and in "Mumbai
)

..2/-

Samachar” in vernacular language i.e. Gujarati.

4. Perused Para-8 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 Citation sent for service upon Nipa Deepak Zaveri (Daughter of the deceased) could not be effected due to door of her flat found locked. He further submits that an Affidavit of Service dated 2nd August, 2024 was filed by Sheriff of Bombay and a copy of the same is annexed to the Affidavit in Support at Annexure – “B”. He therefore prays that the Chamber Order be allowed.

6. For the reasons stated in Affidavit dated 18th November, 2024 annexed to the Chamber order and averment made in Para-8 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. (1) “Free Press Journal” in English and (2) “Mumbai Samachar” in Gujarati 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.