

msm

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

Date : 24th April, 2025

CALLED FOR DIRECTION:

4.CHOL/191/2025) Mr. Dhanishankar Mishra, Advocate for the Applicant /
AMH20240128707C202400020) Petitioner.
In)
TP/1607/2024)
)
) P. C. :
)
) 1. The present Chamber Order is taken out to serve the
) Citation upon Mr. Ismail Ebrahimbhai Bootawala (Nephew 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 "Inquilab" in vernacular
) language i.e. Urdu.
)
)
) 3. Perused the Affidavit dated 19th November, 2024
) annexed to Chamber Order. It is stated in the said Affidavit that
) the Citation sent to Mr. Ismail Ebrahimbhai Bootawala
) (Nephew of the deceased) through the Bailiff was returned with
) a Postal remark "Addressee is not staying at this address". It is
) further stated that the Applicant has made diligent search for
) the address and whereabouts of the said legal heirs and
) residential address is not available. The Applicant therefore
) requested to permit her to publish the Citation upon Mr. Ismail
) Ebrahimbhai Bootawala (Nephew of the deceased) by way of
) substituted service by publishing in two newspapers viz. "Free
) Press Journal" in English Language and in "Inquilab" in
) vernacular language i.e. Urdu.
)
)

..2/-

) : 2 :

) 4. Perused Para-4 of the Petition, it is mentioned that the
) deceased had no issues.
)

) 5. Heard. The Ld. Advocate for the Applicant submits that
) Citation sent to Mr. Ismail Ebrahimbhai Bootawala (Nephew of
) the deceased) through the Bailiff was returned with a Postal
) remark "Addressee is not staying at this address". He further
) submits that the Applicant has made diligent search for the
) address and whereabouts of the said legal heirs and residential
) address is not available. He therefore submits that the Chamber
) Order be allowed.
)

) 6. For the reasons stated in Affidavit dated 19th November,
) 2024 annexed to the Chamber order and averment made in
) Para-4 of the Petition, the Chamber Order is allowed. The
) Applicant is directed to publish the Citation in two newspapers
) viz. (1) "Free Press Journal" in English and (2) "Inquilab" in
) Urdu language, within eight 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.
)

24.04.2025

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