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

Date : 04th February, 2025

CALLED FOR DIRECTION:

4.CHOL/54/2025) Mr. Mangesh Kokare, Advocate for the Applicant /
AMH20240129126C202500001) Petitioner.
In)
TP/3608/2024)
)
) P. C. :
)
) 1. The present Chamber Order is taken out to serve
) the Citation upon Mr. Madhu Madikeshwar (Husband 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.
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)
) 3. Perused the Affidavit dated 17th January, 2025
) annexed to Chamber Order. It is stated in the said
) Affidavit that the deceased died issueless and the Mr.
) Madhu Madikeshwar (Husband of the deceased) has
) left the said deceased and marry to another woman
) and his present whereabouts is not known to the
) Applicant / Petitioner. It is further stated that the
) Citation was sent for service upon him through the
) Sheriff of Bombay by RPAD and the same was
) returned by the Postal Authorities with a remark
) "Addressee left". The Bailiff of Sheriff of Bombay had
) filed an Affidavit of Service dated 11th October, 2024.
)
) ..2/-

) The same is at Exhibit - 'A' to the Affidavit in Support.
) The Applicant has further stated that she had made all
) efforts to search to find out the present and / or
) alternate address and whereabouts of the Husband of
) the deceased but could not find the same. It is further
) stated that the Applicant had made enquiries and
) diligent search with the friends and relatives but could
) find out his whereabouts. The Applicant therefore
) requested to permit her to publish the Citation in two
) newspapers viz. (1) "Free Press Journal" in English and
) (2) "Navshakti" in Marathi language, by way of
) substituted service upon Mr. Madhu Madikeshwar
) (Husband of the deceased).
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) 4. Perused Para-11 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 issueless and the Mr. Madhu
) Madikeshwar (Husband of the deceased) has left the
) said deceased and marry to another woman and his
) present whereabouts is not known to the Applicant /
) Petitioner. He further submits that the Citation was
) sent for service upon him through the Sheriff of
) Bombay by RPAD and the same was returned by the
) Postal Authorities with a remark "Addressee left" and
) the Bailiff of Sheriff of Bombay had filed an Affidavit
) of Service dated 11th October, 2024 and the same is at
) Exhibit - 'A' to the Affidavit in Support. He further
) submits that the Applicant / Petitioner be permitted to
) publish the Citation in two newspapers viz. (1) "Free
) Press Journal" in English and (2) "Navshakti" in
)
..3/-

) : 3 :

) Marathi language, by way of substituted service upon
) Mr. Madhu Madikeshwar (Husband of the deceased).
) He therefore prays that the Chamber Order be allowed.
)

) 6. For the reasons stated in Affidavit dated 17th
) January, 2025 annexed to the Chamber order and
) averment made in Para-11 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) "Navshakti" in Marathi
) language, within four weeks from the date of uploading
) the order. Office is directed to issue fresh Citation, if
) required.
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) 7. Applicant to file Affidavit annexing therewith the
) newspapers within two weeks once, the publication is
) done.

04.02.2025

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