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

Date : 20th March, 2025

CALLED FOR DIRECTION:

5.CHOL/141/2025
AMH20240007259C202400011

In
TP/1445/2024

) **Mr. A. K. Kharwar, Advocate for the Applicant / Petitioner.**

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P. C. :

1. The present Chamber Order is taken out to serve the Citation upon (1)Pushpa Hiranman Borse Nee Pushpa Parshuram Patole (Married Daughter of the deceased), (2) Sheela Babulal Shewale Nee Shila Parshuram Patole (Married Daughter of the deceased), (3) Meena Ashok wagh Nee Meena Parshuram Patole (Married Daughter of the deceased), (4) Sunita Pramod wagh Nee Sunita Parshuram Patole (Married Daughter of the deceased) and (5) Anita Prahlad Rajbhoj Nee Anita Parshuram Patole. (Married 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 "Nav Shakti" in vernacular language i.e. Marathi.

3. Perused the Affidavit dated 23rd September, 2024 annexed to Chamber Order. It is stated in the said Affidavit that the above named legal heirs of the deceased had left the deceased during her lifetime and had not made any contact with the deceased or with the Petitioner during the last days of the deceased. It is further stated that the whereabouts of the above named legal heirs are not known to her. The Applicant therefore requested to permit her to publish the Citation upon above named legal heirs of the deceased by way of substituted service by publishing in two newspapers viz. "Free Press

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) Journal” in English Language and in “Nav Shakti” in
) vernacular language i.e. Marathi.
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) 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.
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) 5. Heard. The Ld. Advocate for the Applicant submits that
) the above named legal heirs of the deceased had left the
) deceased during her lifetime and had not made any contact with
) the deceased or with the Petitioner during the last days of the
) deceased. He further submits that the whereabouts of the above
) named legal heirs are not known to the Applicant. The Ld.
) Advocate for the Applicant further submits that the Citation
) sent for service upon the above named legal heirs of the
) deceased, through the Sheriff of Bombay was returned unserved
) by the Bailiff and filed an Affidavit of Service which is annexed
) to the Chamber Order. The Bailiff has submitted a Report and
) reported that the premises have already demolished and
) therefore the Citation could not be served upon the above
) named legal heirs. He therefore prays that the Chamber Order
) be allowed.
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) 6. For the reasons stated in Affidavit dated 23rd September,
) 2024 annexed to the Chamber order and averment made in
) Para-8 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) “Nav Shakti” 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.
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20.03.2025

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