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

Date : 22nd April, 2025

CALLED FOR DIRECTION:

2.CHOL/189/2025) Ms. Dhanashree Gaikani i/b. Bilawala & Co.,
AMH20240127427C202500007) Advocate for the Applicant / Petitioner.
In)
TP/4160/2024)
)
) P. C. :
)
) 1. The present Chamber Order is taken out to serve the
) Citation upon Mr. Nayan Arunbhai Patel (Son of the
) deceased) by way of substituted service as per the Schedule
) annexed to the Chamber Order.
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)
) 2. Perused Schedule. The Petitioners are seeking
) permission to publish the Citation in two newspapers viz.
) "Free Press Journal" in English Language and in
) "Janmabhoomi" in vernacular language i.e. Gujarati.
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)
) 3. Perused the Affidavit dated 18th March, 2025 annexed to
) Chamber Order. It is stated in the said Affidavit that the
) Bailiff from Sheriff of Bombay to went on 19th November,
) 2024, 20th December, 2024 and also on 17th February, 2025 to
) serve citation along with a copy of Petition on Mr. Nayan
) Arunbhai Patel at his address mentioned in the Petition serve
) citation along with a copy of Petition at 202, Mehul
) Apartment, 67- F-G, Ramchandra Hirji Wadi, Gamdevi,
) Mumbai — 400 007. However, on all three attempts, Mr.
) Nayan Patel was not found and the said premises was found
) locked. It is further stated that since the premises found
) locked, the Citation could not be served upon the said Mr.
) Nayan A. Patel. The Affidavit of Service filed by the Bailiff
) along with report is at Exhibit - "A" to Affidavit in Support.
) The Applicants therefore requested to permit them to publish
) the Citation upon Mr. Nayan A. Patel, (Son of the deceased)
) ..2/-

) : 2 :

) by way of substituted service by publishing in two newspapers
) viz. “Free Press Journal” in English Language and in
) “Janmabhoomi” in vernacular language i.e. Gujarati.
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) 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 Petitioner.
)

) 5. Heard. The Ld. Advocate for the Applicant submits that
) the Bailiff from Sheriff of Bombay to went on 19th November,
) 2024, 20th December, 2024 and also on 17th February, 2025 to
) serve citation along with a copy of Petition on Mr. Nayan
) Arunbhai Patel at his address mentioned in the Petition serve
) citation along with a copy of Petition at 202, Mehul
) Apartment, 67- F-G, Ramchandra Hirji Wadi, Gamdevi,
) Mumbai — 400 007. She further submits that the Bailiff had
) made three attempts but Mr. Nayan A. Patel was not found
) and the said premises found locked and, therefore, the Citation
) could not be served upon the said Mr. Nayan A. Patel. She
) therefore prays that the Chamber Order be allowed.
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) 6. For the reasons stated in Affidavit dated 18th March,
) 2025 annexed to the Chamber order and averment made in
) Para-9 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)
) “Janmabhoomi” in Gujarati 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.

22.04.2025

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