

ary

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

Date : 12th June, 2025

CALLED FOR DIRECTION:

**2.CHOL/192/2025
In
TP/385/2025**

) **Ms. Sharddha S. Jaiswal i/b Satish S. Sharma**
) **Advocate for the Applicant/Petitioner.**

)
)
) **P. C. :** The present Chamber Order is taken out to
) serve the Citation upon Mr. Mohd. Aziz Mehboob Khan,
) 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
) "Urdu Times" newspaper in regional language.
)

) **3.** Perused the Affidavit dated 21.02.2025 and
) Additional Affidavit dated 02.06.2025. It is stated in the
) Additional Affidavit that whereabouts of Mohammed
) Aziz Mehboob Khan is not known to the Petitioner nor
) to the family of the deceased since 25 years. It is further
) stated that diligent efforts were taken to locate the legal
) heir Mr. Mohammed Aziz Mehboob Khan whose
) whereabouts are not known. The Applicant has further
) stated that he and family members of the deceased had
) taken every efforts to find the out the whereabouts of
) Mohammed Aziz Mehboob Khan making enquires with
) local authorities and also with community leaders but
) his whereabouts could not be ascertained. The
) Applicant, therefore, requested to permit him to publish
) the Citation upon Mr. Mohammed Aziz Mehboob Khan
) (brother of the deceased) by way of substituted service
) by publishing in two newspapers viz. "Free Press
) Journal" in English Language and in "Urdu Times"
) newspaper in regional language.

-) 4. Perused Para-9 of the Petition, it is mentioned and
) confirmed that the averment made in the Affidavit in
) respect of the whereabouts is not known to the Petitioner.
)
)
-) 5. Heard. The Ld. Advocate for the Applicant submits
) that the deceased died as spinster and parents of the
) deceased predeceased the deceased. She further
) submits that the whereabouts of Mohammed Aziz
) Mehboob Khan is not known to the Petitioner nor to the
) family of the deceased since 25 years. She further
) submits that diligent efforts were taken to locate the
) legal heir Mr. Mohammed Aziz Mehboob Khan whose
) whereabouts is not known. She further submits that the
) Applicant and family members of the deceased had
) taken every efforts to find the out the whereabouts of
) Mohammed Aziz Mehboob Khan making enquires with
) local authorities and also with community leaders but
) his whereabouts could not be ascertained. She,
) therefore, prays that the Chamber Order be allowed.
)
)
-) 6. For the reasons stated in Affidavit in support and
) Additional Affidavit annexed to the Chamber order and
) averment made in Para - 9 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) "in "Urdu Times" newspaper in regional 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.
)

12.06.2025

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