

Before: E.B. SIVAKUMAR

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 29th April, 2025

CALLED FOR DIRECTION:

6.CHOL/208/2025
[Original]
(AMH20230010778C202
500014)
IN
TP/417/2024

) Mr. Pankaj Pandey, Advocate i/b. Smit Nagda for
) Applicant.

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) P. C. : 1. The present Chamber Order is taken
) out to serve the Citation upon Jigar
) Jaswant Desai, (son of the deceased) by
) way of substituted service as per Schedule
) annexed to this Chamber Order.

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) 2. Perused Schedule. The Petitioner is
) seeking permission to publish the Citation
) in "The Free Press Journal" III English
) Language and "Janrna Bhoomi" III
) vernacular language 1.e. III Gujarati
) language at Mumbai and By publication of
) Citation III newspapers viz. "Hindustan
) Times" in English language and "Sandesh"
) in vernacular language i.e. in Gujarati
) language, at Valsad, Dist.: Gujarat.

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) 3. Perused the Affidavit dated 2nd April
) 2025 annexed to Chamber Order. It is
) stated that the citation was sent for service
) upon Jigar Jaswant Desai, (son of the
) deceased) through the bailiff was returned
) unserved. It is further stated that the
) Bailiff of Sheriff of Bombay has reported
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(AMH20230010778C20
2500014)
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that upon enquiry it was informed him that the said son of deceased has left the premises since last 15 years. The Applicant has further stated that he is not aware of the present address. It is further stated that the applicant has made diligent search but he could not find whereabouts of the above name legal heirs of the deceased. The Applicant therefore requested to permit him to publish the Citation in "The Free Press Journal" III English Language and "Janrna Bhoomi" III vernacular language i.e. III Gujarati language at Mumbai and By publication of Citation III newspapers viz. "Hindustan Times" in English language and "Sandesh" in vernacular language i.e. in Gujarati language, at Valsad, Dist.: Gujarat.

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.

5. Heard. The Ld. Advocate for the Applicant submits that the citation was sent for service upon Jigar Jaswant Desai, (son of the deceased) through the bailiff was returned unserved and the Bailiff of Sheriff of Bombay has reported that upon enquiry it was informed him that the said son of deceased has left the premises since last 15 years. The Ld. Advocate further submits that the Applicant is not aware of the present address and that the applicant has

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made diligent search but he could not find whereabouts of the above name legal heirs of the deceased. She, therefore, prays that the Chamber Order be allowed.

6. For the reasons stated in Affidavit dated 2nd April 2025 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. "The Free Press Journal" III English Language and "Janrna Bhoomi" III vernacular language i.e. III Gujarati language at Mumbai and By publication of Citation III newspapers viz. "Hindustan Times" in English language and "Sandesh" in vernacular language i.e. in Gujarati language, at Valsad, Dist.: Gujarat, within six 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.

29.04.2025

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