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

Date : 03rd July, 2025

CALLED FOR DIRECTION:

9.CHOL/281/2025
AMH20230019665C202500004

In
TP/4184/2024

) **Ms. Rajashri Nadiger, Advocate for the Applicant / Petitioner.**

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1. The present Chamber Order is taken out to serve the Citation upon all concerned 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.

3. Perused the Affidavit dated 21st January, 2025 annexed to Chamber Order. It is stated in the said Affidavit that the deceased died as Spinster and the Parents of the deceased predeceased the deceased. It is further stated that the deceased had only two brothers and no sister and further stated that her brother viz. Sylvester Baptist D'souza predeceased the deceased and his wife Thresa Baptist D'souza also predeceased the deceased and the said brother died as issueless. It is further stated that the second brother Hilary Baptista D'souza also predeceased the deceased and died issueless and the wife of the said brother viz. Joyce Hilary D'souza had no relations with the deceased after her remarriage. The Applicant has further stated that the Petitioner/Executor, being an outsider is not aware about any other legal heirs of the deceased. The Applicant therefore requested to permit him to publish the Citation upon all concerned by way of substituted service by publishing in two newspapers viz. "Free Press Journal" in English Language and in "Navshakti" in vernacular language

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i.e. Marathi.

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 deceased died as Spinster and the Parents of the deceased predeceased the deceased. The Ld. Advocate further submits that the deceased had only two brothers and no sister and that her brother viz. Sylvester Baptist D'souza predeceased the deceased and his wife Thresa Baptist D'souza also predeceased the deceased and the said brother died as issueless. The Ld. Advocate further submits that the second brother Hilary Baptista D'souza also predeceased the deceased and died issueless and the wife of the said brother viz. Joyce Hilary D'souza had no relations with the deceased after her remarriage. She further submits that the Applicant / Petitioner, being an outsider is not aware about any other legal heirs of the deceased. She therefore prays that the Chamber Order be allowed.

6. For the reasons stated in Affidavit dated 21st January, 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) "Navshakti" in Marathi 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.