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

Date: 11th September, 2025

CALLED FOR DIRECTION:

2. CHOL/413/2025) **Ms. Pratiksha Koshe i/by Divekar Bhagwat & Co.,**
AMH20240131959C202500012) **Advocate for the Applicant / Petitioner**
IN)
TP/6105/2024)

P.C.

The present Chamber Order is taken out to serve the Citation upon Yogesh Dilip alias Dileep Walavalkar, nephew 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 "Tarun Bharat" in vernacular language i.e. Marathi.

3. Perused the Affidavit in support dated 24th June, 2025 annexed to Chamber Order. It is stated in the said Affidavit that, the deceased was unmarried and parents of the deceased had predeceased the deceased and the deceased had three brothers viz. (1) Dilip alias Dileep Mahadeo Walavalkar, (2) Sanjay Mahadeo Walavalkar and (3) Abhay Mahadeo Walavalkar were also predeceased the deceased. It is further stated that, the citation sent for service upon Yogesh Dilip alias Dileep Walavalkar, Nephew of the deceased through the Sheriff of Bombay has been returned unserved

with remark "Addressee left, returned to sender". The affidavit of service filed by the Bailiff of Sheriff of Bombay is on record. The Applicant / Petitioner has further stated that, she is not aware of whereabouts of the said Yogesh Dilip alias Dileep Walavalkar and no other alternate address is available with her. The Applicant therefore requested to permit her to serve the Citation upon (1) Yogesh Dilip alias Dileep Walavalkar by way of substituted service by publishing in two newspapers viz. "Free Press Journal" in English Language and in "Tarun Bharat" in vernacular language i.e. Marathi.

4. Perused 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 was unmarried and parents of the deceased had predeceased the deceased and the deceased had three brothers viz. (1) Dilip alias Dileep Mahadeo Walavalkar, (2) Sanjay Mahadeo Walavalkar and (3) Abhay Mahadeo Walavalkar are not known to the Applicant. Ld. Advocate for the Applicant stated that, the citation sent for service upon Yogesh Dilip alias Dileep Mahadeo Walavalkar through the Sheriff of Bombay has been returned unserved with remark "Addressee left, returned to sender". The affidavit of service filed by the Bailiff of Sheriff of Bombay is on record. She further submits that, the Applicant is not aware of whereabouts of the said Yogesh Dilip alias Dileep Mahadeo Walavalkar and no other alternate address is available with her. She therefore, prays that the Chamber Order be allowed.

6. For the reasons stated in Affidavit dated 24th June, 2025 annexed to the Chamber order and averment made in 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) “Tarun Bharat” 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.

11.09.2025

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