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Before : Shri E. B. Sivakumar,

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date: 18th September, 2025

CALLED FOR DIRECTION:

5.CHOL/) **Ms. Seema Hunnurkar, Advocate for the Applicant**
441/2025) **/ Petitioner**
AMH20210053261C20250)
0067)
IN)
TP/5241/2024)

P.C.

By the present Chamber Order the Applicant seeks permission to serve the citation upon Mahar Mohd. Hanib Banos, married daughter of the deceased by way of substituted service.

2. The Applicant seeks permission to publish the citation in two newspaper viz. "Sristi Mail" in English Language, Lucknow Edition – Covers Aligarh and in "Nyayadhees" in vernacular language i.e. Hindi, Allahabad Edition – Covers Aligarh and in the State of Uttar Pradesh edition. Perused the affidavit in support dated 13th August 2025. It is stated in the affidavit in support that, the citation sent to Mahar Mohd. Hanib Banos, married daughter of the deceased, through Sheriff of Bombay was returned by the postal authority with a remark "insufficient address". The Bailiff of Sheriff of Bombay has filed affidavit of service dated 17th January, 2025. The Applicant has further stated that, second attempt was also made to serve the citation but it was returned by the postal authorities with a remark "address could not be located" and the bailiff has filed an affidavit of service dated 10th July, 2025. The Applicant has further stated that, the said legal heir is not in contact with the Applicant and her current address is not known. The Applicant had made enquiries with friends, relatives and neighbours to ascertain

her current address but unable to locate it. The Applicant therefore, requested to permit to publish the citation by way of substituted service in two newspaper viz. “Sristi Mail” in English Language, Lucknow Edition – Covers Aligarh and in “Nyayadhees” in vernacular language i.e. Hindi, Allahabad Edition – Covers Aligarh and in the State of Uttar Pradesh edition.

3. Heard. The Ld. Advocate for the Applicant that, inadvertently the name of the State is written as State of Maharashtra instead of State of Uttar Pradesh and prays that, the Applicant may be permitted to correct the same and upload fresh schedule within a week and Chamber Order be allowed.

4. Perused the para 9 of the averment made in the affidavit in support is confirmed in the Petition. For the reasons stated in the affidavit in support the Chamber Order is allowed. Applicant is directed to publish the citation by way of substitute service by publishing in two newspaper viz. “Sristi Mail” in English Language, Lucknow Edition – Covers Aligarh and in “Nyayadhees” in vernacular language i.e. Hindi, Allahabad Edition – Covers Aligarh and in the State of Uttar Pradesh edition within four weeks from today. Office is directed to issue fresh Citation, if required. The Applicant is permitted to correct “State” in the schedule of the Chamber Order and upload the same within a week from today.

4. Applicant to file Affidavit annexing therewith the newspapers within two weeks once, the publication is done.

18.09.2025

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