

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

Date: 9th October, 2025

CALLED FOR DIRECTION:

13. CHOL/) Shri Devesh Suralkar i/by. Pooja Thorat, Advocate
499/2025) for the Applicant / Petitioner.
AMH20240129808C20250
0002)
IN)
TP /1592/2025)

P.C.

By this Chamber Order the Applicant seeks permission to serve the citation upon Dayabhai Gohil, Husband of the deceased by way of substituted service as per schedule annexed to the Chamber Order.

2. Perused the schedule. The Applicant applies for publication of citation in two newspapers viz. "Free Press Journal" in English Language and in "Janmbhoomi" in vernacular language i.e. Gujarati, widely circulated in Mumbai and in the State of Maharashtra.

3. Perused the affidavit in support. The Applicant has stated in the affidavits that, the deceased died as issueless. It is further stated that, the deceased had undergone a customary divorce with her husband more than 20 years prior her demise, but the deceased had not obtain a formal decree of divorce from a competent court of law and she is not having any documentary evidence substantiating the said customary divorce. It is further stated that, the Applicant is not aware of the whereabouts of the

husband of the deceased despite having made diligent and bonafide efforts to ascertain the same. The Applicant, therefore, requested to permit her to publish the citation in two newspapers viz. “Free Press Journal” in English Language and in “Janmbhoomi” in vernacular language i.e. Gujarati, widely circulated in Mumbai and in the State of Maharashtra.

4. Heard. Ld. Advocate for the Applicant submits that, the deceased died as issueless. He further submits that, the deceased was married to Dayabhai Gohil and had undergone a customary divorce with her husband more than 20 years prior her demise. He further submits that, the deceased had not obtain a formal decree of divorce from a competent court of law and the Applicant is not having any documentary evidence substantiating the said customary divorce. He further submits that, the Applicant is not aware of the whereabouts of the husband of the deceased despite having made diligent and bonafide efforts to ascertain the same. The Applicant, therefore, requested to permit her to publish the citation in two newspapers viz. “Free Press Journal” in English Language and in “Janmbhoomi” in vernacular language i.e. Gujarati, widely circulated in Mumbai and in the State of Maharashtra. He, therefore, prays that, the Chamber Order be allowed.

5. Perused para 6 of the Petition and Will of the deceased. For the reasons mentioned in the affidavit in support the Chamber Order is allowed. Applicant to publish the citation in two newspapers viz. “Free Press Journal” in English Language and in “Janmbhoomi” in vernacular language i.e. Gujarati widely circulated in Mumbai and in the State of Maharashtra, by way of substituted service of citation upon Dayabhai Gohil, husband of the deceased

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within four weeks from the date of uploading this Order. Applicant to file the affidavit of publication once the citation is published within two weeks thereafter.

6. Registry is directed to issue fresh citation, if required.

09.10.2025

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

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