

Before : Shri E. B. Sivakumar,

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date: 9th October, 2025

CALLED FOR DIRECTION:

15. CHOL/) Shri Mohan Salian with Ms. Harshita Kotian i/by
503/2025) MGS Legal, Advocate for the Applicant /
AMH20240129377C20250)
0006) Petitioner.
IN)
TP /1490/2022)

P.C.

By this Chamber Order the Applicant seeks permission to serve the citation upon ALL CONCERNED heirs 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 "Nav Shakti" in vernacular language i.e. Marathi.

3. Perused the affidavit in support. The Applicant has stated in the affidavit in support that, the deceased died as bachelor. It is stated that, the petition was filed by Ms. Menaka Aroskar for grant of letters of administration of the estate of the deceased who was the brother of the Petitioner. It is further stated that during the pendency of the Petition, the Original Petitioner passed away on 6th July, 2022 and she had executed and registered Will and testament under which the Applicant is the sole beneficiary and legatee. It is further stated that, an Order dated 26th June, 2025 was passed in the Interim Application No. 2009 of 2024 to delete the name of

Original Petitioner and the name of Applicant is substituted as a Petitioner. The Applicant has further stated the Original Petitioner has no heirs and next of kin left by her. The Applicant therefore, requested to permit him to publish the citation in two newspapers viz. "Free Press Journal" in English Language and in "Nav Shakti" in vernacular language i.e. Marathi.

4. Heard. Ld. Advocate for the Applicant submits that, the deceased died as bachelor and the petition was filed by Ms. Menaka Aroskar for grant of letters of administration of the estate of the deceased who was the brother of the Petitioner. He further submits that, during the pendency of the Petition, the Original Petitioner passed away on 6th July, 2022 and she had executed and registered Will and testament under which the Applicant is the sole beneficiary and legatee. Ld. Advocate further submits that, by an Order dated 26th June, 2025 passed in the Interim Application No. 2009 of 2024 the name of Original Petitioner was deleted and the name of Applicant is substituted as a Petitioner, as she has no heirs and next of kin left by her. He, therefore, prays that the Chamber Order be allowed.

5. Perused para 4 of the Petition. 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 "Nav Shakti" in vernacular language i.e. Marathi widely circulated in Mumbai, by way of substituted service upon ALL CONCERNED 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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