

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

Date: 13th October, 2025

CALLED FOR DIRECTION:

13. CHOL/) Shri Uttam Rane, Advocate for the Applicant /
518/2025) Petitioner.
AMH20220001223C20250
0069)
IN)
TP /2059/2016)

P.C.

By this Chamber Order the Applicant seeks permission to serve the citation upon Logamma Jaya Mallappa, first wife 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 "Udayavani" in vernacular language i.e. Kannada, widely circulated in Mumbai.

3. Perused the affidavit in support. The Applicant has stated in the affidavit in support that, the Applicant is the second wife of the deceased and deceased left behind him one daughter from the first marriage. It is further stated that, as per the Order dated 21st February 2025 the Notice issued to the first wife of the deceased and sent for service through the Sheriff of Bombay but it was returned back unserved and the bailiff has filed an affidavit of service. The Applicant therefore, requested to permit him to publish

the citation in two newspapers viz. “Free Press Journal” in English Language and in “Udayavani” in vernacular language i.e. Kannada, widely circulated in Mumbai.

4. Heard. Ld. Advocate for the Applicant submits that, the citation is required to be served upon Logamma Jaya Mallappa, first wife of the deceased. He further submits that, as per the Order dated 21st February 2025 the Notice issued to the first wife of the deceased and sent for service through the Sheriff of Bombay but it was returned back unserved and the bailiff has filed an affidavit of service. He, therefore, requested to permit him to publish the citation in two newspapers viz. “Free Press Journal” in English Language and in “Udayavani” in vernacular language i.e. Kannada, widely circulated in Mumbai. He, therefore, prays that the Chamber Order be allowed.

5. Perused para 5 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 “Udayavani” in vernacular language i.e. Kannada widely circulated in Mumbai, by way of substituted service of citation upon Logamma Jaya Mallappa, first wife of the deceased within six 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.

13.10.2025

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