

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

**Date: 13<sup>th</sup> November, 2025**

**CALLED FOR DIRECTION:**

6.CHOL/ ) Ms. Kunjan Chheda i/by Dipti Nagde, Advocate  
576/2025 ) for the Applicant / Petitioner  
AMH20230040878C202500023  
IN )  
TP/4255/2023 )

**P.C.**

By this Chamber Order the Applicant seeks permission to serve the Notice upon non-consenting party i.e. Mr. Kaizad Naval Mistri, Son 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 Notice in two newspapers viz. "Free Press Journal" in English Language and in "Gujarat Samachar" in vernacular language i.e. Gujarati.

3. Perused the affidavit in support. The Applicant has stated in the affidavit in support that, the Applicant is daughter of the deceased and deceased was a Parsi Zoroastrian by religion and at the time of his death, he left behind him, the Applicant and his son Kaizad Naval Mistri as only legal heirs and next-of-kin according to Indian Succession Act, 1925 by which he was governed. It is further stated that, her mother i.e. wife of the deceased predeceased the deceased. It is further stated that, Mr. Kaizad Naval Mistri has severed all ties with the family for the past 10 years and she has no contact with him and his whereabouts are not known. It is further

stated that, on making inquiries, with their relatives, he was last heard to be residing in Mumbai. The Applicant, therefore, requested to permit her to publish the Notice in two newspapers viz. “Free Press Journal” in English Language and in “Gujarat Samachar” in vernacular language i.e. Gujarati having circulation in Mumbai, by way of substituted service upon Kaizad Naval Mistri, Son of the deceased.

4. Heard. Ld. Advocate for the Applicant submits that, the Applicant is daughter of the deceased and deceased was a Parsi Zoroastrian by religion and at the time of his death, deceased left behind him, the Applicant and Kaizad Naval Mistri, Son of the deceased, as his only legal heirs and next-of-kin according to Indian Succession Act, 1925 by which he was governed. She further submits that, mother of the Applicant i.e. wife of the deceased predeceased the deceased. She further submits that, Mr. Kaizad Naval Mistri has severed all ties with the family for the past 10 years and Applicant has no contact with him and his whereabouts are not known. She further submits that, on making inquiries, with their relatives, he was last heard to be residing in Mumbai. She, 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 Notice in two newspapers viz. “Free Press Journal” in English Language and in “Gujarat Samachar” in vernacular language i.e. Gujarati widely circulated in Mumbai, by way of substituted service upon Kaizad Naval Mistri within four weeks from the date of uploading this Order. Applicant to file the

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affidavit of publication once the Notice is published within two weeks thereafter.

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

13.11.2025

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

*sbk*