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

Date: 17th November, 2025

CALLED FOR DIRECTION:

7.CHOL/ 586/2025 AMH20230040878C202500021	)	**Ms. Dipti Nagda, Advocate for the Applicant / Petitioner**
	)	
IN TP/4256/2023	)	

P.C.

By this Chamber Order the Applicant seeks permission to serve the Notice upon (1) Ms. Gulu Fali Mistri, Daughter of the deceased, (2) Mr. Kaizad Naval Mistri, grandson 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 granddaughter of the deceased and deceased was a Parsi Zoroastrian by religion and at the time of her death, she left behind her daughter i.e. the Applicant and Naval Fali Mistri her son (now since deceased on 8th September 2017) as only legal heirs and next-of-kin according to Indian Succession Act, 1925 by which she 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. The Applicant has further stated that, upon making inquiries, with their relatives, it was informed that, he was last heard to be residing in Mumbai. It is also stated that, the whereabout of the Gulu Fali Mistri is not known to the Applicant as she had severed all ties with the family and past 25 years there is no contact with her. 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 (1) Gulu Fali Mistri, daughter of the deceased and (2) Kaizad Naval Mistri, grandson of the deceased.

4. Heard. Ld. Advocate for the Applicant submits that, the Applicant is granddaughter of the deceased and deceased was a Parsi Zoroastrian by religion and at the time of her death, she left behind her daughter i.e. the Applicant and Naval Fali Mistri her son (now since deceased on 8th September 2017) as only legal heirs. He further submits that, her mother i.e. wife of the deceased predeceased the deceased. He further submits that, Mr. Kaizad Naval Mistri has severed all ties with the family for the past 10 years and the whereabout of the Gulu Fali Mistri is not known to the Applicant as she had severed all ties with the family and past 25 years there is no contact with 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 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 (1) Gulu Fali Mistri and (2) Kaizad Naval Mistri within four weeks from the date of uploading this Order. Applicant to file the affidavit of publication once the Notice is published within two weeks thereafter.

17.11.2025

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

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