

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

Date: 7th March, 2026

CALLED FOR DIRECTION:

6. CHOL/) Shri Mustafa Chitalwala i/by YNA Legal LLP
171/2026) Advocate for the Applicant / Plaintiffs
IN)
S/170/2025)

P.C.

By this Chamber Order the Plaintiffs seek liberty to serve Writ of Summons upon (1) Shripal Sevantilal Morakhia, Defendant No. 2 and (2) Deepak Sonelal Kasthwal, Defendant No. 3 by way of substituted service by publishing extract of Writ of Summons in two newspapers viz., in “Free Press Journal” in English language and in “Navshakti” in vernacular language i.e. Marathi as per schedule annexed to the Chamber Order.

2. Perused the affidavit in support. Heard. Ld. Advocate for the Plaintiffs submits that, the Writ of Summons sent for service upon (1) Shripal Sevantilal Morakhia, Defendant No. 2 and (2) Deepak Sonelal Kasthwal, Defendant No. 3 through Sheriff of Bombay could not be served upon them. He further submits that, the Defendant No. 2 was not at the residence and one Mrs. Sumati Khale informed the Bailiff that Defendant No. 2 has gone out for his work. He further submits that the Defendant No. 3 has left the last known address since the last six years back. Bailiff report is annexed to the affidavit in support. He further submits that, the Plaintiff be permitted to serve the Writ of Summons upon Defendant No. 2 and

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3 by way of substituted service by publishing the extract of Writ of Summons in the newspapers as per schedule annexed to the Chamber Order. He further submits that, the Plaintiff be permitted to affix the Writ of Summons at the last known address of the Defendant No. 2.

3. For the reasons stated in the affidavit in support the Chamber Order is allowed. Plaintiff is directed to publish the extract of Writ of Summons in two newspapers viz. "Free Press Journal" in English Language and in "Navshakti" in vernacular language i.e Marathi having wide circulation in Mumbai and also affix a copy of Writ of Summons at the Sconspicuous part of the residence of the Defendant No. 2 within two weeks from the date of uploading this Order and file affidavit of publication withing two weeks thereafter.

07.03.2026

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

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