

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

Date: 05th January, 2026

CALLED FOR DIRECTION:

4. CHOL/) Shri Vikas Nana Tambarekar a/w. Ms. Sandhya
717/2025) Sanjay Mhaskar and Shri Vinesh Ramesh Tayade,
AMH20230040275C20250) Advocate for the Applicant / Petitioner.
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IN
TP /3955/2025

P.C.

By this Chamber Order the Applicant seeks permission to serve the Citation upon ALL CONCERNED, legal heirs of the deceased and Casian Aubrey, 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 citation in two newspapers viz. "Free Press Journal" in English language and in "Navshakti" in vernacular language i.e. Marathi and also pasting at the residence of the son of the deceased.

3. Perused the affidavit in support. The Applicant has stated in the affidavit that, the parents and the wife of the deceased are predeceased the deceased. It is further stated that, the citation sent for service upon Shri Casian Aubrey D'Penha, son of the deceased at his last known address through Sheriff of Bombay was returned by postal authority with remark "no such person in the address". It is further stated that, the Applicant has made diligent search for getting any such other address for knowing the legal heirs and relatives, but none have been found. The Applicant, therefore, requested to permit her to publish the citation by way of substituted

service upon ALL CONCERNED legal heirs of the deceased and Shri Casian Aubrey D'Penha, son of the deceased in two newspapers viz. "Free Press Journal" in English language and in "Navshakti" in vernacular language i.e. Marathi widely circulated in Mumbai and also pasting at the residence of the son of the deceased.

4. Heard. Ld. Advocate for the Applicant submits that, the parents and the wife of the deceased are predeceased the deceased. He further submits that, the citation sent for service upon Shri Casian Aubrey D'Penha, son of the deceased at his last known address through Sheriff of Bombay was returned by postal authority with remark "no such person in the address". He further submits that, the Applicant has made diligent search for getting any such other address for knowing the legal heirs and relatives, but none have been found. 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 newspaper viz. "Free Press Journal" in English language and in "Navshakti" in vernacular language i.e. Marathi, widely circulated in Mumbai and also pasting at the residence of the son of the deceased by way of substituted service upon ALL CONCERNED legal heirs of the Deceased and Shri Casian Aubrey D'Penha, son of the deceased, 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.

05.01.2026

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

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