

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

Date: 7th May, 2026

CALLED FOR HEARING AND FINAL DISPOSAL:

2. CHOL/) Ms. Manasi M. Pawaskar i/by Foram Vora,
730/2025) Advocate for the Applicant / Petitioner.
AMH20230030789C20250
0016)
IN
TP /356/2025

P.C.

By this Chamber Order, the Applicant seeks permission to serve the citation upon (1) Mukesh Futarmal Jain, son of the deceased; (2) Lalita Futarmal Jain, daughter of the deceased and (3) Mamta Futarmal Jain, daughter of the deceased and ALL CONCERNED legal heirs 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 "Janmbhoomi" in vernacular language i.e. Gujarati, widely circulated in Mumbai.

3. Perused the affidavit in support. The Applicant has stated in the affidavit that, the first wife of the deceased Mrs. Babibai Futarmal Jain, has predeceased the deceased and the deceased remarried with the Petitioner. It is further stated that, the citation sent for service upon (1) Mukesh Futarmal Jain; (2) Lalita Futarmal Jain, and (3) Mamta Futarmal Jain, could not be served and their present address is not known. It is further stated that, during the lifetime of the deceased, the deceased did not mention

about the whereabouts of heirs of their maternal and paternal side. The Applicant, therefore, requested to permit her to publish the citation in two newspapers viz. "Free Press Journal" in English Language and in "Janmbhoomi" in vernacular language i.e. Gujarati, widely circulated in Mumbai.

4. Heard. Ld. Advocate for the Applicant submits that, the first wife of the deceased Mrs. Babibai Futarmal Jain, has predeceased the deceased and the deceased remarried with the Petitioner. She further submits that, the citation sent for service upon (1) Mukesh Futarmal Jain; (2) Lalita Futarmal Jain, and (3) Mamta Futarmal Jain, could not be served and their present address is not known. She further submits that, during the lifetime of the deceased, the deceased did not mention about the whereabouts of heirs of their maternal and paternal side. She further submits that, the citation sent for service through Sheriff of Bombay has been returned and the bailiff has filed an affidavit of service dated 4th May, 2026. She, therefore, prays that, the Chamber Order be allowed.

5. Perused para 8 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 "Janmbhoomi" in vernacular language i.e. Gujarati, widely circulated in Mumbai, by way of substituted service of citation upon (1) Mukesh Futarmal Jain, son of the deceased; (2) Lalita Futarmal Jain, daughter of the deceased and (3) Mamta Futarmal Jain, daughter of the deceased and ALL CONCERNED, legal heirs of the deceased within six weeks from the date of uploading this Order. Applicant to file the affidavit of

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publication once the citation is published within two weeks thereafter.

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

07.05.2026

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

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