

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

Date: 7th May, 2026

CALLED FOR HEARING AND FINAL DISPOSAL:

12. CHOL/) Ms. Jigna Modi i/by Uma Kshirsagar Wagle,
346/2026) Advocate for the Applicant / Petitioner.
AMH20230021095C20260
0006)
IN
TP /3467/2025

P.C.

By this Chamber Order, the Applicant seeks permission to serve the citation upon (1) Amin Hashamali Lailwala, nephew of the deceased, (2) Mrs. Gulshan Amin Lailwala, niece 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 "Navbharat" in vernacular language i.e. Hindi, widely circulated in Mumbai.

3. Perused the affidavit in support. The Applicant has stated in the affidavit that, the citation was sent for service upon the abovenamed legal heirs of the deceased through bailiff of Sheriff of Bombay but it was found that they are not residing at the said address. It is further stated that, the inquiry was made with the persons available at the said address and one Malik Autwala informed that they have no knowledge about the person whereabouts address of the said legal heirs. It is further stated that, despite due and diligent efforts the Applicant could not trace the

person address of the said legal heirs and the bailiff has filed an affidavit of service dated 17th December 2025. The Applicant, therefore, requested to permit him to publish the citation in two newspapers viz. “Free Press Journal” in English Language and in “Navbharat” in vernacular language i.e. Hindi, widely circulated in Mumbai.

4. Heard. Ld. Advocate for the Applicant submits that, the citation was sent for service upon the abovenamed legal heirs of the deceased through bailiff of Sheriff of Bombay but it was found that they are not residing at the said address. She further submits that, the inquiry was made with the persons available at the said address and one Malik Autwala informed that they have no knowledge about the person whereabouts address of the said legal heirs. She further submits that, despite due and diligent efforts the Applicant could not trace the present address of the said legal heirs and the bailiff has filed an affidavit of service dated 17th December 2025. She, therefore, prays that, the Chamber Order be allowed.

5. Perused para 10 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 “Navbharat” in vernacular language i.e. Hindi, widely circulated in Mumbai, by way of substituted service of citation upon (1) Amin Hashamali Lailwala, nephew of the deceased, (2) Mrs. Gulshan Amin Lailwala, niece of the deceased, within six 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.

07.05.2026

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

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