

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

Date: 11th June, 2026

CALLED FOR HEARING AND FINAL DISPOSAL:

10. CHOL/ 399/2026 AMH20240007201C20260 0013 IN TP /5526/2025	) Ms. Akshata Kadam, Advocate for the Applicant /) Petitioner.)
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P.C.

By this Chamber Order, the Applicant seeks permission to serve the citation upon (1) Smt. Babni Fulchand, widow of the deceased and (2) Shri Rakesh Kumar, 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, widely circulated in Mumbai.

3. Perused the affidavit in support. The Applicant has stated in the affidavit that, citation sent for service upon (1) Smt. Babni Fulchand and (2) Shri Rakesh Kumar at their last known address at Uttar Pradesh through bailiff of Sheriff of Bombay twice and the same was return by the postal authority with remark "Addressee mentioned is staying in Mumbai and address not known. Hence packet is returned." It is further stated that, the Applicant is not aware of any other alternative address of abovenamed legal heirs of the deceased. The Applicant, therefore,

requested to permit him to publish the citation in two newspapers viz. "Free Press Journal" in English Language and in "Navshakti" in vernacular language i.e. Marathi, widely circulated in Mumbai.

4. Heard. Ld. Advocate for the Applicant submits that, citation sent for service upon (1) Smt. Babni Fulchand and (2) Shri Rakesh Kumar at their last known address at Uttar Pradesh through bailiff of Sheriff of Bombay twice and the same was return by the postal authority with remark "Addressee mentioned is staying in Mumbai and address not known. Hence packet is returned." She further submits that, the Applicant is not aware of any other alternative address of abovenamed legal heirs of the deceased. She further submits that, affidavit of service is already filed by Sheriff of Bombay. She, therefore, prays that, the Chamber Order be allowed.

5. Perused para 11 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 "Navshakti" in vernacular language i.e. Marathi, widely circulated in Mumbai, by way of substituted service of citation upon (1) Smt. Babni Fulchand, widow of the deceased and (2) Shri Rakesh Kumar, 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.

11.06.2026

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