

Santosh

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
LEAVE PETITION NO. 160 OF 2017
IN
COMM SUIT (L) NO. 222 OF 2017**

Zulfiqar A Jariwala & Anr	...Petitioner
<i>Versus</i>	
Orbit Corportion Ltd & Anr	...Respondents

**Ms Dipti Panda, with Rohan Agrawal, i/b MDP & Partner, for the
Petitioner.**

**CORAM: G.S. PATEL, J
DATED: 24th April 2017**

PC:-

1. The petition is under Order I Rule 8 of the Code of Civil Procedure, 1908. The Leave Petitioners seek to sue in a representative capacity on behalf of flat purchasers in a project known as Orbit Grand.

2. I am satisfied that the leave ought to be granted since the Petitioners' interests are clearly those shared by a class of flat purchasers.

3. The Petition is made absolute in terms of prayer clause (a).

4. I am not directing the issuance of an advertisement or personal notices at present since the Petitioners have circulated an e-mail to all the flat purchasers. Of these, 21 have come forward with letters of consent, which are annexed to the Plaint. If necessary, a notice can be directed at a later stage.

(G. S. PATEL, J.)