

**FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**LEAVE PETITION NO.236 OF 2017
IN
COMMERCIAL SUIT (L) NO.405 OF 2017**

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Prothonotary's orders	Court's or Judge's orders
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Ms.Asfiya Cutchi i/b M/s.K.K.Associates for the Petitioner

**CORAM : K. K. TATED, J.
DATE : SEPTEMBER 8, 2017**

P.C.:

1. Heard the learned counsel for the applicant.
2. This petition is preferred by plaintiff under Clause XII of the Letters Patent for permitting them to file Commercial Suit in this court.
3. The learned counsel for the petitioner submits that entire cause of action arise within the Jurisdiction of this court. Except that, defendant is residing outside the Jurisdiction of this court. To that effect, petitioner has made averments in paragraph 20 of the plaint.
4. Considering the submissions made by the learned counsel for the petition and the averments made in paragraph 20 of the Petition, I am satisfied that the petitioner has made out a case for

allowing the Leave Petition. Hence, following order is passed:

(A) Leave Petition is allowed in terms of prayer clause (a) which reads thus:

“(a) That this Hon'ble Court be pleased to grant to the Petitioner leave under Clause XII of the Letters Patent, 1865 of this Hon'ble Court to file and / or number the suit being Commercial Suit _____ of 2017 against the Respondent in this Hon'ble Court.”

(B) Leave Petition is disposed of accordingly.

(K.K.TATED, J.)