

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

**LEAVE PETITION NO.242 OF 2017
IN
COMMERCIAL SUIT (L) NO.426 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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Mr.Ravi Suryawanshi for the petitioner

CORAM : K. K. TATED, J.

DATE : OCTOBER 13, 2017

P.C.:

1. Heard the learned counsel for the Petitioner.
2. This leave petition under Clause XII of the Letters Patent is preferred by plaintiff for permission to file Suit against the defendants for declaration that the plaintiffs are the sole and exclusive owner and rights holder with respect to the three films "*Himmatwala, Kanwarlal and Mawali*".
3. The learned Counsel for the Petitioner submits that the document dated 28.7.2010 Exhibit- A was executed at Mumbai. He submits that entire cause of action arose within the territorial jurisdiction of this court. He submits that defendant nos.4 to 7 have their business premises

beyond the territorial jurisdiction of this court. Hence, they preferred the present petition for leave to file Suit in this Hon'ble Court. To that effect, Petitioner made a statement in paragraph 44 of the plaint.

4. Considering the submissions made by the learned counsel for the petitioner and agreement at Exhibit-A, I am satisfied that the petitioner has made out a case for allowing the present Leave Petition. Hence, following order is passed:

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

“(a) That this Hon'ble Court be pleased to grant Leave under clause XII of the Letters Patent Act to enable the Petitioner / Plaintiff to file the above Suit against the Respondents / Defendants herein.”

B) Leave Petition stands disposed of accordingly.

(K.K.TATED, J.)