

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

**LEAVE PETITION NO.266 OF 2017
IN
SUIT (L) NO.466 OF 2017**

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Prothonotary's orders	Court's or Judge's orders
--	---------------------------

Mr.Sunil Patel i/b M/s.Sunil and Co. for the plaintiff

**CORAM : K. K. TATED, J.
DATE : NOVEMBER 14, 2017**

P.C.:

1. Heard the learned counsel for the petitioner applicant.
2. The learned counsel for the applicant submits that they preferred the present Petition under Clause XII of the Letters Patent for permission to file the present Suit in this Hon'ble Court. He submits that by the present Suit, they are seeking partition of HUF property. He submits that some of the properties are situated outside the jurisdiction of this court. He further submits that defendant no.4 is residing outside India. To that effect, he is relying on paragraph 2 and 4 of the petition.

3. Considering the submissions made by the learned counsel for the plaintiff and as some of the properties are situated beyond the Jurisdiction of this court, I am satisfied that the plaintiff has made out a case for allowing the present petition. Considering these facts following order is passed:

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

“(a) this Hon'ble Court be pleased to grant leave under clause XII of the Letters Patents.”

B) Petition stands disposed of accordingly.

(K.K.TATED, J.)