

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

**LEAVE PETITION NO.275 OF 2017
IN
COMMERCIAL SUIT (L) NO.480 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.Karishma Shirke i/b M/s.Gordhandas and Fozdar for the plaintiff

**CORAM : K. K. TATED, J.
DATE : OCTOBER 13, 2017**

P.C.:

1. Heard the learned counsel for the parties.
2. This leave petition under Clause XII of the Letters Patent is preferred by plaintiff for permission to file Summary Suit before this court.
3. The learned counsel for the petitioner submits that plaintiff wants to recover a sum of Rs.1,59,67,017.42 from the defendant. She submits that the entire cause of action has taken place within the jurisdiction of this court. She submits that the defendant are carrying on their business beyond the territorial jurisdiction of this court. Hence, they have preferred the present petition under Clause XII of the Letters Patent. To that effect, they have made averments in

paragraph 25 of the plaint.

4. Considering the submissions made by the learned counsel for the petitioner and the averments made in the paragraph 25 of the plaint, I am satisfied that the petitioner has made out a case for allowing this 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 of this Hon'ble Court to the Plaintiff to file the above Summary Suit against the Defendant for the reliefs claimed in the suit.”

B) Leave Petition stands disposed of accordingly.

(K.K.TATED, J.)