

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

**LEAVE PETITION NO. 291 OF 2017
IN
COMMERCIAL SUIT (L) NO. 562 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. Nihar P. Mankad i/by. Mr. Pravin D. Kadam for Petitioner.

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

P.C.:

1. Heard learned Counsel Mr. Mankad for Petitioner.

2. The learned Counsel for Petitioner submits that they have filed the present Petition under Clause XII of the Letters Patent for permission to file the suit for recovery of the sum of Rs. 3,04,11,180/- with interest from the Respondents in this Hon'ble Court. He submits that the entire cause of action took place within the jurisdiction of this Court. He submits that the material was supplied to the Respondents/Defendants outside the jurisdiction of this Court. Hence, they preferred the present Leave Petition.

3. The learned Counsel for Petitioner submits that part payment were made by the Respondents at Mumbai only. To that effect, he is relying on Para 6 of the present Leave Petition. He submits that in the interest of justice, this Hon'ble Court be pleased to allow the present Leave Petition.

4. Considering the submissions made by the learned Counsel for Petitioner and the averments made in para 6, 10 and 11 of the Leave Petition, I am satisfied that Petitioner has made out a case for allowing this Petition. Hence, the following order.

ORDER

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

“(a) that this Hon'ble Court be pleased to grant Leave to the Petitioner under Clause XII of Letters Patent to file the suit against the Respondent in this Hon'ble High Court in its Ordinary Original Civil Jurisdiction.”

(B) Leave Petition stands disposed of accordingly.

(K.K.TATED, J.)