

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

LEAVE PETITION NO.293 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.K.N.Kandekar for the petitioner

**CORAM : K. K. TATED, J.
DATE : NOVEMBER 3, 2017**

P.C.:

1. Heard the learned counsel for the petitioner plaintiff.
2. The present petition is under Clause XII of the Letters Patent for leave to file the Suit in this Hon'ble Court.
3. The learned counsel for the claimant submits that by this Suit, plaintiff is seeking declaration that plaintiff is having 1/4th share in the property more particularly described in Exhibit-C in the plaint and other property. He submits that some of the properties are outside the jurisdiction of this court and defendant no.3 is residing at Satara District. To that effect, petitioner has made averments in paragraph 2 of the petition.
4. Considering the submission made by the learned counsel for the petitioner and averments

made in paragraph 2 of the petition, I am satisfied that the petitioner has made out a case for allowing the 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 12 of Letters Patent to the applicant to file this proposed suit against the Defendant Nos.2 and 3 in this Hon'ble Court.”

B) Petition stands disposed of accordingly.

(K.K.TATED, J.)