

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

**LEAVE PETITION NO. 310 OF 2017
IN
COMMERCIAL SUIT (L) NO. 623 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 he had preferred the present Leave Petition under Clause XII of the Letters Patent for permission to file the present Commercial Summary Suit for recovery of the sum of Rs. 1,55,87,452.90/- with interest at the rate of 20% per annum from the Respondents/Defendants. He submits that the entire cause of action arose within the territorial jurisdiction of this Court. He submits that Respondents/Defendants have made part payment at Mumbai. He submits that material was supplied at Sangli, which is beyond the territorial

jurisdiction of this Court. Hence, they preferred the present Leave Petition.

3. Considering the submissions made by the learned Counsel for Petitioner and as the entire cause of action arose within the jurisdiction of this Court except supply of material at Sangli, which is beyond the territorial jurisdiction of this Court, I am satisfied that Petitioner has made out a case for allowing the Leave 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 Respondents in this Hon'ble High Court in its Ordinary Original Civil Jurisdiction.”

(B) Leave Petition stands disposed of accordingly.

(K.K.TATED, J.)