

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

**LEAVE PETITION NO.322 OF 2017
IN
SUIT (L) NO.611 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.Aziz Khan a/w Mr.Deepak Singh i/b M/s.Divya Shah Associates for the Petitioner

**CORAM : K. K. TATED, J.
DATE : NOVEMBER 28, 2017**

P.C.:

1. Heard the learned counsel for the petitioner / plaintiff.
2. The learned counsel for the plaintiff submits that they preferred the present petition under Clause XII of the Letters Patent for leave to file the present Suit in this Hon'ble Court on Original Side. He submits that by this Suit, they are seeking partition of the properties amongst the member of HUF. He submits that some of the properties are situated beyond the territorial jurisdiction of this court. He submits that these facts are stated by the plaintiff in paragraph 91 on page 41 of the plaint. He submits that in view of these facts, this Hon'ble

Court be pleased to grant leave under Clause XII of the Letters Patent for filing the present Suit in this court.

3. Considering the submissions made by the learned counsel for the petitioner and the averments made in paragraph 91 of the plaint, I am satisfied that the plaintiff has made out a case for allowing the present Leave Petition. Hence, following order is passed:

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

“That leave under Clause XII of the Letters Patent be granted to the Petitioners to file the said suit in this Hon'ble Court.”

B) Leave Petition stands disposed of accordingly.

(K.K.TATED, J.)