

Arun

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
LEAVE PETITION NO. 188 OF 2018
IN
COMM SUIT (L) NO. 791 OF 2018

Mohan Manjunath Gowda & Anr	...Petitioners
<i>Versus</i>	
PNB Housing Finance Ltd & Anr	...Respondents

Mr Suyash Gadre, i/b Utangale & Company, for the Petitioners.

CORAM: G.S. PATEL, J
DATED: 19th June 2018

PC:-

1. Heard. The Petition is for leave under Clause XII of the Letters Patent. The Suit is for specific performance of an agreement to provide a loan. According to the Petitioners, a material part of the cause of action arose in jurisdiction of this Court. The only reason that the Petition is filed is because that the property that was proposed to be offered as security is in Panvel, District Raigad, outside the jurisdiction of this Court.

2. This is not a Suit for land. Indeed the entire cause of action has arisen within the jurisdiction of this Court and all Defendants are within the jurisdiction of this Court. In my view, this Court has exclusive jurisdiction to entertain and try the Suit. The location of

land proposed to be offered as security is wholly immaterial to the cause of action in such a Suit. No leave is necessary. This Court has jurisdiction even without such leave. The Petition is dismissed. There will be no orders as to costs.

(G. S. PATEL, J)