

Arun

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL JURISDICTION
LEAVE PETITION NO. 221 OF 2018**

The Indian Express (P) Ltd	...Petitioner
<i>Versus</i>	
Nishu Rai & Ors	...Respondents

Mr Sufiyan Shaikh, i/b Poorvi Kamani, for the Petitioner.

**CORAM: G.S. PATEL, J
DATED: 23rd July 2018**

PC:-

1. The Petition is for leave under Clause XII of the Letters Patent. The proposed suit is an action in infringement and passing off. So far as infringement is concerned, no leave is necessary. However as regards the cause of action in passing off, since the Defendants are outside Mumbai, leave will be necessary. A material part of cause of action has arisen in Mumbai. With leave granted under Clause XII of the Letters Patent, this Court will have the jurisdiction to entertain and try the suit.

2. Leave granted. The Petition is made absolute.

(G. S. PATEL, J)