

Atul

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
LEAVE PETITION NO. 340 OF 2018**

Super-Max IPR Holdings AG & Anr	...Plaintiffs
<i>Versus</i>	
Tigaksha Metalics Pvt Ltd & Ors	...Defendants

Ms Pooja Kshirsagar, *i/b AZB & Partners, for the Plaintiffs.*

**CORAM: G.S. PATEL, J
DATED: 26th October 2018**

PC:-

1. The matter is mentioned urgently out of turn. Mr Kamath sought leave this morning by mentioning the matter.

2. The proposed Suit is an action in trade mark and copyright infringement combined with the cause of action in passing off. The Respondents Nos. 1 to 5, 7 and 9 to the Clause XII Petition are outside the jurisdiction of this Court. The Petition and the plaint indicate that a material part of the cause of action has arisen within the jurisdiction of this court.

3. I am satisfied that with leave granted under Clause XII of the Letters Patent, this Court will have the necessary jurisdiction to entertain and try the suit.

4. Leave granted. The Petition is made absolute.

5. In view of the urgency, the parties need not wait for the typed order to be uploaded. The Associate of this Court is directed to make an endorsement on the docket of the Petition that leave has been granted.

(G. S. PATEL, J)