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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
LEAVE PETITION NO. 53 OF 2019
IN
SUIT (L) NO. 258 OF 2019

Shamasuddin Siddiqui

...Petitioner

Versus

Amar Ujala Publications Ltd

...Respondent

Appearance *not given.*

CORAM: G.S. PATEL, J

DATED: 19th March 2019

PC:-

1. The Petition is for leave under Clause XII of the Letters Patent. The proposed suit is an action in defamation for damages. The publication in question was in a magazine that was widely circulated, including in Mumbai. It was on a website accessible from Mumbai. The law is settled that an action in defamation can be brought within the jurisdiction of any Court where the allegedly offending article was published: *see Karma Lakelands Pvt Ltd v Ravi Goel & Ors*,¹ per Sanjib Banerjee J. In case of an online publication accessible without restriction, the 'publication' is at any (and every) place from which that site can be accessed.

¹ 2099 SCC Online Cal 2566 : 2010 AIHC 1229.

2. In my view, this Court has jurisdiction even without Clause XII leave. It is not relevant that the Defendant's registered office is outside the jurisdiction of this Court. This Court has the jurisdiction to entertain and try the suit even without leave under Clause XII of the Letters Patent.

3. The Petition is disposed of with these observations.

(G. S. PATEL, J)