

Sharayu Khot.

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

LEAVE PETITION NO. 106 OF 2019

Avirath Realtors Private Limited

...Petitioner

Versus

**Wave Engineering & Infrastructure LLP &
Ors.**

...Respondents

Mr. Rohan S. Sonawane, for the Petitioner.

CORAM : R.I. CHAGLA J.

DATE : 9 September 2019

ORDER :

1. This Petition is for leave under Clause XII of the Letters Patent. The proposed Suit is for a monetary decree under the terms of Memorandum of Understanding. The Memorandum of Understanding is signed and executed in Mumbai. The Plaintiff also has its office in Mumbai. The payments made by the Plaintiff have been made from Mumbai and all meetings of the parties held in Mumbai. The profit and principal was received by the Plaintiff as per Memorandum of Understanding in Mumbai. However, the Defendant

No. 1 has its office outside the territorial jurisdiction of this Court as well as Defendants No. 2 and 3 are residing in Chennai. Defendant No. 4 has its registered office in Mumbai.

2. Accordingly, I am satisfied that the material part of cause of action has arising in Mumbai. With leave granted under Clause XII of the Letters Patent, this Court will have jurisdiction to entertain and try the Suit.

3. Leave granted. The Petition is made absolute.

[R.I. CHAGLA J.]