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

**LEAVE PETITION NO.120 OF 2019
IN
SUMMARY SUIT (L) NO.653 OF 2019**

I L And FS Financial Services Ltd.

... Petitioner /
Plaintiff

V/s.

Skil-Himachal Infrastructure and Tourism Ltd.
Ors.

... Defendants

Dhruti D. Doctor, i/b Manilal Kher Ambalal & Co. for the Petitioners
/ Plaintiff.

CORAM: R. I. CHAGLA, J.
DATE: 3RD JULY, 2019.

PC:-

1. The Petition is for leave under Clause XII of the Letters Patent. The proposed Suit is for recovery of an amount of Rs.53,93,87,934/- along with interest and other contractual charges in respect of facility as set out in the loan agreement dated 26th October, 2016 and secured by Respondent No.2 to 4. The facility documents were executed at New Delhi and the Respondent No.1 has office at New Delhi. The amounts under the facility agreement were disbursed by the Petitioner to the Respondents from Mumbai and received by the Respondents at Mumbai. It is stated that the Respondents are situated both at

Mumbai and New Delhi and conduct their business operations from both cities. I am satisfied that a material part of cause of action has arisen within the jurisdiction of this Court, 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.

(R I. CHAGLA, J.)