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

**LEAVE PETITION NO.127 OF 2019  
IN  
COMMERCIAL SUIT (L) NO. 785 OF 2019**

Parekh Industries Ltd.

... Petitioner /  
Proposed Plaintiff

vs.

Bangalore Refineries Pvt. Ltd.

... Respondent /  
Proposed  
Defendant

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Mr. Durgaprasad Poojari for the Petitioner.

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**CORAM: R. I. CHAGLA, J.**  
**DATE: 26TH JULY, 2019.**

**PC:-**

1. The Petition is for leave under Clause XII of the Letters Patent. The proposed Suit is for a declaration that there is a valid subsisting and binding contract between the Plaintiff and Defendant for consideration and for an order and decree to pay the Plaintiff the sum claimed along with interest from the date of the Suit till payment and / or realisation. The negotiations between the Plaintiff and Defendant took place in Mumbai. It is stated that the agreement was arrived at in Mumbai. The materials and manpower were supplied by the Plaintiff from Mumbai. The invoices were raised from Mumbai and payment was received by

the Plaintiff in Mumbai. It is only the Defendant who is carrying on business in Bangalore. I am satisfied that, a material part of the cause of action having 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. )**