

Sharayu Khot.

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

LEAVE PETITION NO. 147 of 2019

IN

COMMERCIAL SUIT (L) NO. 970 OF 2019

Aditya Birla Finance Limited

...Petitioner

Versus

Sintex Prefab and Infra Limited & Ors.

...Respondents

Mr. Sharan Jagtiani, a/w Mr. Nitesh Jain, Sairam Subramanian, for
the Petitioner.

CORAM : R.I. CHAGLA J.

DATE : 9 September 2019

ORDER :

1. This Petition is under Clause XII of the Letters Patent. The proposed Suit is for buyback and repayment in respect of NCDs. The majority meetings which are held between the Plaintiff and the Defendants No. 1 and 2 including personal meetings wherein the Defendants No. 1 and 2 agreed to repay the Plaintiff NCDs were held in Mumbai. Communications received by the Plaintiff are also in

Mumbai. However, the Defendants No. 1's registered office is at Ahmedabad. The Defendant No. 2 is residing in *Ahmedabad*.

2. I am satisfied that the material part of cause of action has arising within the territorial jurisdiction of this Court. Accordingly, leave is 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.]

Note: This order is modified/corrected as per speaking to minutes of order dated 13.09.2019.