

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

PETITION NO.158 OF 2019

IN

SUIT NO.1047 OF 2019

Tecnimont Private Limited.

...Plaintiff/Petitioner

Mr.Munir Merchant with Mr.Chirag Naik i/b. MZM Legal, for the
Plaintiff.

CORAM : G.S. KULKARNI, J.**DATE : 11th December, 2019****P.C.:**

1. This is a petition under Clause XII of the Letters Patent. The suit is for recovery of an amount of Rs.1,59,19,98,031/- from the defendant who is resident of Italy as set out in the cause title of the plaint. As averred in the leave petition, at the relevant time, when the amounts sought to be recovered were transferred, the defendant was posted at Mumbai and was residing in Mumbai and was working in the office of the plaintiff in Mumbai. The correspondence in that regard was also exchanged with the defendant from the office of the plaintiff from Mumbai. The cause of action to file the suit are the illegal actions taken by the defendant at Mumbai in transferring the amounts from the Bank account of the plaintiff to various entities, which has also taken place

from Mumbai.

2. Having perused the averments as made in the leave petition as also paragraph 26 of the plaint, the material part of the cause of action appears to have arisen within the jurisdiction of this Court and hence, with the leave of this Court under Clause XII of the Letters Patent this Court would have jurisdiction to try and entertain the suit.

3. Leave granted. The petition is accordingly allowed.

[G.S. KULKARNI, J.]