

psv

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
LEAVE PETITION NO.5 OF 2020
IN
SUIT (L.) NO.1324 OF 2019**

Mr.Jasbir Singh Chandhok	..Petitioner
Versus	
Mrs.Prem Kaur & Ors.	..Respondents

Ms.Geeta Sonawane i/b. Mr.Denzil D'Mello for Petitioner/Plaintiff.

**CORAM : G.S. KULKARNI, J.
DATE : 20th JANUARY, 2020**

PG.:

This is a petition for leave under Clause XII of the Letters Patent. The suit is filed against the respondents/defendants inter-alia for the relief of declaration/injunction in regard to the properties, subject matter of the suit, which are set out in the plaint. The suit flats are situated in Mumbai. Respondent Nos.1, 2, 4 and 5 are permanent residents of Mumbai. However as respondent No.3 is a permanent resident of Pune, the present petition has been filed.

2. Having perused the averments as made in the plaint and averments as made in the petition, in my opinion, once properties are situated within the jurisdiction of this Court, it may not be necessary for the plaintiff to seek leave merely because defendant No.3 is resident of Pune. This Court in any case has jurisdiction to try and entertain this suit.

3. The petition is accordingly disposed of.

[G.S. KULKARNI, J.]