

psv

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
LEAVE PETITION NO.9 OF 2020
IN
SUIT (L.) NO.31 OF 2020**

Sunita Tibrewala ..Petitioner
Versus
Samir Balkishan Tibrewala & Ors. ..Respondents

Mr.Emil Sunil George i/b. M/s.Manilal Kher Ambalal & Co. for Petitioner.

**CORAM : G.S. KULKARNI, J.
DATE : 28th JANUARY, 2020**

P.C.:

1. This is a petition seeking leave under Clause XII of the Letters Patent. The suit is filed for partition and share in the estate of the deceased parents of the petitioner/plaintiff namely late Balkishan Hanumanprasad Tibrewala and late Savitri Balkishan Tibrewala. The petitioner as also the respondents/defendants are residents of Mumbai. Most of the movable as also immovable properties of the deceased are situated at Mumbai except the property i.e. Bungalow No.60, Ground Floor, Rashmi Park Bungalow Complex, Opp.Ambavadi Bungalow Scheme, Village – Valiv, Taluka – Vasai, District – Palghar, which is out side the jurisdiction of this Court.
2. Having perused the relevant averments as made in the plaint and averments in the leave petition, I am of the opinion that material part of cause of action has arisen at Mumbai within the jurisdiction of this Court and with the leave of this Court under Clause XII of the Letters Patent, this Court would have jurisdiction to try and entertain this suit.
3. Leave granted. The petition is accordingly allowed.