

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

**LEAVE PETITION NO. 27 OF 2020
IN
COMMERCIAL SUMMARY SUIT (L) NO. 1307 OF 2019**

Varun Godha & Anr.	Plaintiffs
V/s.	
Balaji Enterprises & Ors.	Respondents.

Ms. Sonam Mhatre with Mr. Tejas P. Shah i/b Dhaval Vassonji & Associates, Advocates for plaintiffs.

CORAM : G.S. KULKARNI, J.
DATE : 13 FEBRUARY 2020

P. C.

1. This is a petition for leave under Clause XII of the Letters Patent.

2. This is a summary suit filed by the applicant/plaintiff praying for a decree against defendant in the sum of Rs.1,34,50,000/- alongwith interest as prayed for. The defendants are having their addresses at Thane.

3. Learned counsel for the petitioner/plaintiff has drawn my attention to the averments as made in the plaint to contend that the petitioners are having their office in Mumbai. The amounts came to be advanced by the plaintiff to defendant no.1 in Mumbai, also certain payments including of interest was also received by the petitioner at Mumbai.

4. Having perused the averments as made in the leave petition, as also relevant averments in the plaint, in my opinion, material part of cause of action has arisen at Mumbai and with leave of this Court being granted under Clause XII of the Letters Patent, this Court would have jurisdiction to try and entertain this suit.

5. Leave granted. The petition is made absolute.

[G.S. KULKARNI, J.]