

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

WRIT PETITION NO. 2744 OF 2019

Shafiq Khatri And Anr ...Petitioners
Versus
State Of Maharashtra And 3 Ors ...Respondents

**WITH
INTERIM APPLICATION (L) NO. 3606 OF 2022
IN**

WRIT PETITION NO. 2744 OF 2019

Shehzadi D/o Lal Mohd. ...Applicant
Versus
Shafiq Khatri And others ...Respondents

Mr. Ahmad Abdi i/b Eknath Dhokale for the Petitioners.
Mr. Ashutosh Kumbhakoni AG with Smt. P.H. Kantharia (G)
with Ms. Sneha Bhange for the State-Respondent Nos. 1 to 4.
Mr. Y.S. Bhate, for Respondent Nos. 5 and 6.

**CORAM : S.V. GANGAPURWALA &
R.N. LADDHA, J.J.**

DATED : 20th SEPTEMBER 2022

P.C. :-

1. Learned Advocate General, raised a preliminary objection that no cause of action arose within the territorial jurisdiction of this Court.
2. Learned advocate for petitioner submits that the petitioner resides in Mumbai and he has received copy of the order in Mumbai.
3. The application for the petitioner is for right to reside at

Kutch (State of Gujrat). State of Gujrat has rejected request of the petitioners for residing in Gujrat.

4. The place of residence of the petitioner would not give rise to the cause of action. As the entire cause of action is within the territorial jurisdiction of Gujrat. This Court may not exercise the territorial jurisdiction.

5. In view of that we are not inclined to entertain the Writ Petition. The petitioners are at liberty to file appropriate proceedings before the appropriate Court. In that event, all contentions of the parties are kept open.

6. The writ petition is disposed of. No costs.

(R.N.LADDHA, J.)

(S.V. GANGAPURWALA, J.)