

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

**LEAVE PETITION NO. 7 OF 2023
IN
SUIT (L) NO. 3238 OF 2022**

Gujarat Organics Ltd. ... Petitioner/Plaintiff

Versus

Nilesh Dhakal Bhore & Ors. ... Defendants

Mr. Bhakti Kansora h/f Racheeta Dhuru for the Plaintiff.

CORAM : R.I. CHAGLA, J.

DATED : 13th APRIL, 2023.

ORDER :

1 The Petitioner/Plaintiff is seeking leave under Clause XII of the Letters Patent to be granted to the Petitioner/Plaintiff to institute the Suit against the Defendants.

2 In the jurisdiction clause at paragraph 34 of the Plaint it is mentioned that the bank account from which the amounts of the Plaintiff was illegally siphoned and transferred are situated in Mumbai. Defendant No.1 who committed fraud in collusion and connivance with Defendant Nos.2 to 13 was in the employment of Plaintiff No.1 at Mumbai. The

fraud has been committed by Defendant No.1 at Mumbai. Accordingly, it is stated that the material part of the cause of action has arisen at Mumbai. The leave has been sought in view of Defendant Nos.1, 2, 3, 6, 8 and 13 having address outside the jurisdiction of this Court and also immovable properties which were invested from the money siphoned are situated outside the jurisdiction of this Court

3 Having considered the jurisdiction clause in paragraph 34 of the Plaint, I am satisfied that the material part of the cause of action has arisen in Mumbai.

4 Accordingly Leave Petition is made absolute in terms of prayer clause (a).

5 Leave Petition is disposed of.

(R.I. CHAGLA, J.)

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