

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

LEAVE PETITION NO. 100 OF 2025

IN

SUIT (L) NO. 11620 OF 2025

NOSHIR JAMSHED LALA

)...PETITIONER

V/s.

FARAN FARRORKH JLJINA AND ANOTHER

)...RESPONDENTS

Mr.Rahul Deshpande a/w. Mr.Parag Sharma, Ms.P Zaiwalla, Mr.Ankit Upadhyay i/by BLAC Co., Advocate for the Petitioner.

None for the Respondents.

CORAM : ABHAY AHUJA, J.

DATE : 13th OCTOBER 2025

PC. :

1. This Petition seeks leave under Clause XII of the Letters Patent.
2. Mr.Rahul Deshpande, learned Counsel, appears for the Petitioner and submits that the Petitioner seeks to file a Suit for administration and partition of the estate of his deceased uncle. It is submitted that, the material part of cause of action arises within the jurisdiction of this Court, however, since a fraction of the property is situated in Pardi, Gujarat, outside the jurisdiction of this Court, with leave granted under Clause XII of the Letters Patent, this Court would have jurisdiction to entertain, try and dispose of the Suit.

3. Mr.Deshpande relies upon paragraph 8 of the Petition and paragraph 44 of the Plaint in the proposed Suit in support of his contentions. Mr.Deshpande submits that this Court may therefore grant leave under Clause XII of the Letters Patent.

4. Having heard the learned Counsel and having perused paragraph 8 of the Petition and paragraph 44 of the Plaint in the proposed Suit, with the assistance of the learned Counsel, this Court, for reasons as contained in the said paragraphs and as submitted by the learned Counsel, grants leave under Clause XII of the Letters Patent in terms of prayer clause (a) which reads thus :

“(a) The Petitioners/Plaintiffs be granted leave under Clause XII of the Letters Patent to file the above Suit before the Hon'ble Bombay High Court.”

5 . The Petition, accordingly, stands allowed and disposed as above.

(ABHAY AHUJA, J.)