

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

LEAVE PETITION NO. 130 OF 2025

Ramakant Pande

...Petitioner

V/s.

Prakash Pandey

...Respondent

Mr. Satyadev Pandey for the Petitioner.

**CORAM : ABHAY AHUJA, J.
DATE : 24th SEPTEMBER, 2025**

PC. :

1. This Petition seeks leave under Clause XII of the Letters Patent.
2. Mr. Pandey, learned Counsel appears for the Petitioner and submits that the Plaintiff seeks to file the Suit for defamation and for injunction and damages against the Defendant.
3. Mr. Pandey submits that the Defendant, who although works in Mumbai, resides in Kalyan had circulated videos which have pasted / partly overlaid with the Plaintiff's photograph and have circulated the same to the Plaintiff's brothers and other relatives. Mr. Pandey submits that the whatsapp messages were received by the Plaintiff at his office in Andheri and residence at Goregaon, Mumbai. That the Respondent has circulated the said messages on social media. That the Plaintiff resides in Mumbai and his office is also, as noted above is in Mumbai, however, the Defendant resides at Kalyan, which is outside the jurisdiction of this Court. Mr. Pandey submits that, therefore, although

the substantial part of cause of action has arisen in Mumbai, however, some part of cause of action would have arisen outside the jurisdiction of this Court and that with leave granted under Clause XII of the Letters Patent, this Court would have jurisdiction to entertain, try and dispose of the Suit proposed to be filed.

3. Mr. Pandey draws the attention of this Court to paragraphs 24 to 26 of the Petition and paragraphs 35 to 37 of the Plaint in the proposed Suit in support of his contentions. Mr. Pandey submits that this Court may therefore grant leave under Clause XII of the Letters Patent.

4. Having heard the learned Counsel and having perused paragraphs 24 to 26 of the Petition and paragraphs 35 to 37 of the Plaint in the proposed Suit, this Court is of the view that, for reasons as contained in the said paragraphs and as submitted by the learned Counsel, leave under Clause XII of the Letters Patent be granted.

5. Accordingly, leave under Clause XII of the Letters Patent is granted in terms of prayer clause (a) which reads thus :

“(a) that this Hon’ble Court be pleased to grant Leave to the Petitioner under Clause XII of Letters Patent to file the suit against the Respondent in this Hon’ble High Court in its Ordinary Original Civil Jurisdiction.”

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

NIKITA
YOGESH
GADGIL

Digitally signed by
NIKITA YOGESH
GADGIL
Date: 2025.09.24
19:29:11 +0530

Nikita Gadgil

(ABHAY AHUJA, J.)