

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

**LEAVE PETITION NO. 160 OF 2026
IN
SUIT (L) NO. 14188 OF 2026**

**Swati Yatin Savla
Versus
Hemali Kulinkant Kenia**

**...Petitioner
... Respondent**

Mr. Manoj Agiwal for the Petitioner.

**CORAM : ABHAY AHUJA, J.
DATE : 5th MAY, 2026**

P.C. :

1. This Leave Petition seeks leave under Clause XII of the Letters Patent.
2. When the matter is called out, Mr. Agiwal, learned Counsel appears for the Petitioner and submits that in the Suit proposed to be filed for administration of estate of the deceased, although all the movables and immovables properties are situate in Mumbai, within the jurisdiction of this Court, however, two of the immovable properties are situate at Bhiwandi and Valsad, outside the jurisdiction of this Court and the Suit not being a suit for land as per settled law, with leave granted by this Court under Clause XII of the Letters Patent, this Court would have jurisdiction to entertain, try and dispose of the Suit.

3. Mr. Agiwal draws this Court's attention to paragraph 9 and 11 of the Leave Petition and paragraphs 43 and 44 of the Plaint in the proposed Suit in support of his contentions.

4. Having heard the learned Counsel and having considered his submissions and also having perused paragraphs 9 and 11 of the Leave Petition and paragraphs 43 and 44 of the Plaint, 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 and is hereby granted in terms of prayer Clause (a) of the Petition, which reads thus:

“(a) That this Hon’ble Court be pleased to grant Leave under Clause XII of the Letters Patent Act, 1866 to the Petitioners to file the accompanying Suit before this Hon’ble Court, thereby enabling this Hon’ble Court to try, entertain and adjudicate the said Suit.”

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

(ABHAY AHUJA, J.)