



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

LEAVE PETITION (LODGING) NO. 21665 OF 2023

IN

SUIT (LODGING) NO. 12108 OF 2023

Leesha Deepak Uttamchandani & Ors.

...Petitioners

Versus

Meenu Uttamchandani & Ors.

...Respondents

- Ms. Vidisha Rohira i/b Dastur Kalambi & Associates, for Petitioners.
- Ms. Sapana Rachure, for Respondents.

CORAM : MANISH PITALE, J

DATE : 08th AUGUST, 2023

SHRIKANT
SHRINIVAS
MALANI

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P. C. :

1. By this Leave Petition filed under Clause XII of the Letters Patent. The Petitioners are seeking permission to file the accompanying suit.

2. The suit is filed in the context of property concerning deceased husband of the Petitioner No. 1, who was also the father of the Petitioner Nos. 2 and 3.

3. The dispute is within the family, as Respondent No. 1 is the Mother-in-Law, Respondent No. 2 is the Father-in-Law, Respondent No. 3 is Brother-in-Law and Respondent No. 4 is Sister-in-Law of Petitioner No. 1. This Court is further informed that there is likelihood of settlement between the parties, as draft Consent Terms are already prepared.

4. It is specifically pointed out in the petition that, as per the information available with the petitioners, other than one property known as “Maple Leaves” in Pune, all the other properties that are subject matter of the suit are located within the jurisdiction of this Court. On this basis, it is submitted that substantial cause of action has arisen within the jurisdiction of this Court and that in the interest of justice the Leave Petition may be granted.

5. This Court has perused the pleadings in the plaint, as also the contentions raised on behalf of the Petitioners in this petition. This Court is convinced that the Leave Petition deserves to be allowed.

6. Accordingly, the Leave Petition is allowed in terms of prayer clause (a), which reads as follows :

“a. That this Hon’ble Court be pleased to grant to the Petitioners Leave under Clause XII of the Letters Patent to institute the present Suit against the Respondents in this Hon’ble Court; and”

7. All parties concerned shall act on an authenticated copy of this order.

(MANISH PITALE, J.)