

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

**INTERIM APPLICATION NO. 1056 OF 2026
IN
COMMERCIAL SUIT (L) NO. 5846 OF 2026**

Yokogawa India Limited

...Applicant

V/s.

Sajiv Ravindran Nath & Ors.

...Respondents

Mr. Chandrashekhar Mulhelkar with Ms. Karishma Rao, Mr. Vishal Mehta, Ms. Jomol Joy and Mr. Mayank Chhangani i/b MV Law Partners, Advocate for the Applicant/Plaintiff.

**CORAM : ABHAY AHUJA, J.
DATE : 24th MARCH, 2026**

P.C. :

1. This Interim Application seeks leave under Clause XII of the Letters Patent Act, 1866.
2. Although the High Court Rules require filing of a Petition for the same, Mr. Mulhelkar, learned Counsel appearing for the Petitioner urges this Court to treat the Interim Application as the Petition under Clause XII of the Letters Patent Act, 1866, submitting that the instructing attorney was unaware of the procedure and that since there is an urgency in the matter this Court may treat the Interim Application as a Petition under Clause XII of the Letters Patent Act, 1866.

3. Mr. Mulhelkar submits that the Suit proposed to be filed against the Defendants is for damages and that although the substantial and material part of cause of action has arisen within the jurisdiction of this Court, a part of cause of action has 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.

4. Mr. Mulhelkar draws this Court's attention to paragraphs 4 and 7 to 9 of the Interim Application and paragraph 45 of the Plaint in the proposed suit in support of his contentions.

5. Having heard the learned Counsel and in view of the urgency expressed, the Interim Application is converted into the Leave Petition and the same be numbered accordingly.

6. Further, having heard the learned Counsel and having considered his submissions and also having perused paragraphs 4 and 7 to 9 of the Interim Application and paragraph 45 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), which reads thus:

“(a) Grant leave under Clause 12 of the Bombay High Court (Letters Patent) Act to the Plaintiff to institute and maintain the present Suit before this Hon’ble Court.”

7.

8. The Application accordingly stands allowed and disposed as above.

(ABHAY AHUJA, J.)

Digitally
signed by
NIKITA
YOGESH
GADGIL
Date:
2026.03.24
19:00:10
+0530