

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
SUIT NO. 224 OF 2008**

Dr. Ashok M. Bhat & Anr.
Versus
Harichand Nagpal & Anr.

....Plaintiffs

....Defendants

Dr. Virendra Tulzapurkar, Sr. Advocate a/w.
Mr. V. A. Bhagat for the Plaintiffs.
Ms. Deepa Hate i/b. M/s.Gajria & Co. for Defendant No.1.
Ms. Rima Paradkar i/b. M/s. I. R. Joshi & Co. for Deft.No.2.

CORAM : R. V. MORE, J.

DATE : 27th NOVEMBER, 2009.

P.C. :

The Defendants by filing a reply have raised objection to the jurisdiction of this Court on the ground that the Defendants' goods are not available for commercial sale in Mumbai and infact they are not carrying their business in Mumbai.

2. In view of the above objection, following issue is framed as a Preliminary Issue:

“ Whether this Court has jurisdiction to entertain and try the present suit?”

3. The argument on the issue of jurisdiction will be heard alongwith the Notice of Motion No. 323 of 2008 on the next date. **Stand over to 14th December, 2009.**

Sd/-
(R. V. MORE, J.)