

IN THE HIGH COURT OF JUDICATURE AT PATNA
First Appeal No.38 of 2016

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Smt. Chamela Devi, wife of Sri Braj Nandan Sao @ Gigaal Sao, resident of Phulwarisharif, P.S. Phulwarisarif, District- Patna.

Plaintiff/Appellant

Versus

Smt. Ram Sakhi Devi, wife of Sri Badri Pandit, resident of Mohalla-Bochachak, P.S. Phulwarisharif, District- Patna at present resident at Mauza- Sabalpur, P.S. Didarganj, District- Patna.

Defendant /Respondent

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Appearance :

For the Appellant/s : Mr. Navin Kumar Sinha

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 09-08-2016

The learned counsel for the appellant is present. He pressed I.A. No. 5715 of 2016.

Perused the office note and also the memo of appeal. The appeal is valued at Rs. 38,000/- only and as such this appeal is not maintainable in this Court. The impugned judgment and decree have been passed by the learned Sub. Judge and as such it ought to have been filed in the court of the learned District Judge, Patna.

The learned counsel for the appellant now seeks permission to withdraw this appeal with liberty to file the same in the court of the learned District Judge, Patna.

Permission is granted. Accordingly, this appeal is hereby disposed of as withdrawn. The learned counsel for the

appellant is at liberty to file the appeal in the appropriate court where the matter of limitation will be considered in accordance with law.

Accordingly, this appeal is hereby disposed of.

(Jitendra Mohan Sharma, J)

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