

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1214 of 2016**

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Rajendra Prasad Rai & Anr

.... Petitioner/s

Versus

Pramod Rai & Ors

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Amrendra Narayan Rai

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR SAHOO
ORAL ORDER

2 25-11-2016

Heard the learned counsel for the petitioners.

Perused the impugned order dated 04.06.2016 passed by Sub Judge IV, Sasaram in Title Suit No.787 of 2008 whereby the learned Court below rejected the application filed by the petitioners under Order 14 Rule 2 C.P.C. for deciding the question of valuation of the suit property and payment of court fee as preliminary issue.

It may be mentioned here that so far this issue of valuation of the suit is concerned, it is dependent on the evidence and materials that may be brought by the parties. The issue is not a pure question of fact. Moreover, the suit has been filed in the Court of Sub Judge. The Sub Judge has got the unlimited pecuniary jurisdiction.

Therefore, I find no reason to interfere with the impugned order. Accordingly, this Civil Miscellaneous application is dismissed.

Saurabh/-

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(Mungeshwar Sahoo, J)