IN THE HIGH COURT OF JUDICATURE AT PATNA
First Appeal No.44 of 2017

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1. Premchand Jha S/o Late Nantun Jha, Resident of- Jai Nagar Subhash Chowk, P.O.- Jainagar, P.S.- Jainagar, District- Madhubani.

.... Appellant/s

Versus

1. Jeewachh Mahto
2. Sanjay Mahto
3. Manoj Mahto All Sons of Late Lakshman Mahto Resident of- Jai Nagar, Subhash Chowk, P.O.- Jainagar, P.S.- Jainagar, District- Madhubani.

.... Respondent/s

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Appearance :
For the Appellant/s : Mr. Ratanakar Jha
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA

ORAL ORDER

02 18.12.2017 Office has reported that value of appeal is less than Rs 10 lakh and, therefore, present appeal is not maintainable before this court and appeal against the impugned judgment shall lie before the District Judge.

Learned counsel appearing for the appellant seeks permission for withdrawal of this appeal with liberty to file appeal before appropriate forum.

In view of the aforesaid submission, this appeal stands disposed of giving liberty to the appellant to file appeal before the appropriate forum within six weeks after X'Mas Holidays. It is made clear that if appellant files appeal within the above stated period, the concerned forum shall exclude the time taken by appellant in pursuing the present appeal before this court as well as above stated period granted by this court in filing the appeal at the time of reckoning the period of limitation.

shahid **(Hemant Kumar Srivastava, J)**

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