

IN THE HIGH COURT OF JUDICATURE AT PATNA
First Appeal No.125 of 2016

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Deputy Development Commissioner, Madhepura at and P.O. Samaharnalaya, Madhepura, Ward No. 14, Nagar Parishad, P.S. & District Madhepura

.... Appellant

Versus

1. Jagdeo Ram, Son of Kishun Ram, resident of village - Madanpur Tola Gamharia, P.S. Madhepura, District - Madhepura Presently residing at Dakhinbari Ward No. 25, Bhirkhi, Madhepura, P.S. & District - Madhepura
2. The State of Bihar through the Collector, Madhepura, P.S. & District Madhepura

.... Respondents

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Appearance :

For the Appellant/s : Mr. Sunita Kumari

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

4 11-09-2017 The office has reported that this appeal is not maintainable before this court due to lack of pecuniary jurisdiction because the suit as well as appeal have been valued as rupees one lac whereas the pecuniary jurisdiction of District Judge to hear the appeal against the judgment of Sub Judge is up to rupees ten lacs.

In view of the aforesaid facts, the memo of appeal is ordered to be returned to the appellant within two weeks so that the appellant may file appeal against the impugned judgment and decree before the appropriate forum.

However, it is made clear that if the appellant files appeal before the appropriate forum within four weeks from the



date of return of memo of appeal, the period spent by the appellant in pursuing this appeal before this court as well as above stated period of four weeks shall be excluded by the concerned forum while reckoning the period of limitation.

Accordingly, this appeal stands disposed of.

(Hemant Kumar Srivastava, J)

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