

IN THE HIGH COURT OF JUDICATURE AT PATNA
First Appeal No.101 of 2016

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Md. Shish Afaroz & Ors

.... Appellant/s

Versus

Md. Yusuf & Ors

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Nafisuzzoha

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 17-01-2017 The office has reported that the present appeal filed against the judgment and decree dated 06.09.2016 passed in Title suit no. 93 of 2004 is not maintainable before this court due to pecuniary jurisdiction and the same lies before the court below, therefore, in view of the aforesaid remark, learned counsel for the appellants seeks permission to file the appeal before the competent appellate court and for which he seeks permission to return of the memo of this appeal with permission to file the same before the competent appellate court.

In view of the aforesaid submission, the office is directed to return the memo of appeal to the appellants so that they could file the memo of appeal before the competent appellate court. It is made clear that if the appellants file memo of appeal before the competent appellate authority within six weeks from the date of return of memo of appeal, the period spent before this court as well as the above stated period of six weeks shall be condoned by the concerned court at the time of consideration of



delay in filing the memo of appeal.

(Hemant Kumar Srivastava, J)

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