

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.462 of 2018

Ajay Kumar Sinha, Son of Jagdish Prasad, resident of Mohalla- Jai Prakash Nagar (Back of the Electricity Board office, Aurangabad) Karma Road, Ward No.-2 P.O. + P.S. and District- Aurangabad.

... .. Appellant/s

Versus

1. Jagdish Prasad, Son of Late Ganauri Prasad.
2. Anand Prakash Son of Jagdish Prasad
3. Ranjana Verma Wife of Ram Niwas Prasad Verma Daughter of Jagdish Prasad, All resident of Mohalla- Jai Prakash Nagar (Back of the Electricity Board office, Aurangabad) Karma Road, Ward No.- 2, P.O. + P.S. and District- Aurangabad.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Anirudh Kumar Verma
For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL JUDGMENT

Date : 25-08-2018

Heard the learned counsel for the petitioner.

2. The petitioner filed this civil miscellaneous petition against the order dated 07.02.2018, passed by learned Munsif, Aurangabad in Title Suit No.69 of 2015 by which the petition of the petitioner to firstly decide the question with regard to the valuation of the suit has been dismissed.

3. The petitioner is the defendant. The suit is posted for the evidence of defendants. The defendants filed a petition that the plaintiff and other witnesses have stated that they have constructed the house worth Rs.1,50,000/- on the suit land and the plaintiff also gave evidence that the price of the land, situated by the side of



the road, is about Rs.2,00,000/-. On such, the question with regard to valuation of the suit be decided first but I find that the learned Munsif has rightly rejected the petition of the petitioner holding that the suit is posted for the evidence of the defence and at this stage, the question of valuation of the suit cannot be decided as preliminary issue.

4. Accordingly, I do not find any merit in this civil miscellaneous petition and the same is dismissed.

(Prabhat Kumar Jha, J)

S.KUMAR/-

AFR/NAFR	NAFR
CAV DATE	NA
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