

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL REVISION No.170 of 2018

Smt Usha Devi

... .. Petitioner/s

Versus

Smt. Usha Muar and Ors

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Alok Ranjan, Adv
For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 23-04-2019 The order passed on the plaint filed under Order 7 Rule 11 of CPC is decree within definition under Section 2(2) of the CPC and against that decree appeal will lie before the District Judge, as the valuation of the suit is less than Rs. 6 Lacs.

In that view of the matter learned counsel for the petitioner seeks permission to withdraw this application in order to enable him to file an appeal before the appellate court having pecuniary jurisdiction.

Prayer is allowed.

This application is dismissed as withdrawn with the aforesaid liberty. It is made clear that if any appeal is filed the appellate court will take into account the pendency of civil revision petition before this Court while considering the period of limitation.

(S. Kumar, J)

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