

IN THE HIGH COURT OF JUDICATURE AT PATNA
FIRST APPEAL No. 5 of 2019

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1. Durga Prasad alias Yamuna Prasad and ors Late Ruplal Prasad resident of Village- Narhi, P.S. Dulhin Bazar, District- Patna.
 2. Baleshwar Prasad Durga Prasad resident of Village- Narhi, P.S. Dulhin Bazar, District- Patna.
 3. Niranjana Prasad Baleshwar Prasad resident of Village- Narhi, P.S. Dulhin Bazar, District- Patna.
 4. Dhan Ranjan Prasad Baleshwar Prasad resident of Village- Narhi, P.S. Dulhin Bazar, District- Patna.

... .. Appellant/s

Versus

1. Chinta Devi and ors Late Surendra Prasad resident of Village- Rampur, P.S. and P.O.- Bihta, District- Patna
2. Bimla Devi Birendra Kumar resident of Village- Rampur, P.S. and P.O.- Bihta, District Patna.
3. Mamta Devi Gajendra Prasad resident of Village- Rampur, P.S. and P.O.- Bihta, District Patna.
4. Dulari Devi Jai Narain Prasad resident of Village- Rampur, P.S. and P.O.- Bihta, District Patna.
5. Jai Narain Prasad Late Dasari Prasad resident of Village- Rampur, P.S. and P.O.- Bihta, District Patna.

... .. Respondent/s

Appearance :

For the Appellant/s : None
For the Respondent/s : Mr. Navin Kumar

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 19-07-2022 No one appears for the appellants on the second consecutive date.

Perused the office note dated 16.7.2022 and the defect no. 12 pointed out in the stamp report dated 24.1.2019 which is with respect to maintainability of the instant appeal.

As per amendment in section 21 of the Bengal, Agra



and Assam Civil Courts Act, 1887, appeal from a decree or order of Civil Judge, Senior Division shall lie to the District Judge where the value of the original suit is less than Rs. 10 lacs. The suit value from which the instant appeal arises is Rs. 4, 96,000/-.

In view of the above, the appeal is disposed off as not maintainable.

(Partha Sarthy, J)

Prakash/-

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