

IN THE HIGH COURT OF JUDICATURE AT PATNA
FIRST APPEAL No.48 of 2018

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Md. Rahul Amin Son of Late Md. Idris Resident of Village- Rupnarainpur
Bela, Police Station- Samastipur Mufassil, District- Samastipur.

... .. Appellant/s

Versus

1. Ram Sewak Rai Son of Late Ramrup Rai Resident of Village- Panchrukhi,
Police Station- Samastipur Mufassil, District- Samastipur.
2. Shyam Sunder Rai Son of Late Ram Sajiwan Rai Resident of Village-
Panchrukhi, Police Station- Samastipur Mufassil, District- Samastipur.
3. Krishnanandan Rai Son of Late Ram Sajiwan Rai Resident of Village-
Panchrukhi, Police Station- Samastipur Mufassil, District- Samastipur.
4. Updesh Rai Son of Late Kameshwar Rai Resident of Village- Panchrukhi,
Police Station- Samastipur Mufassil, District- Samastipur.
5. Nanki Rai Son of Late Kameshwar Rai Resident of Village- Panchrukhi,
Police Station- Samastipur Mufassil, District- Samastipur.
6. Anmol Rai Son of Deo Narain Rai Resident of Village- Panchrukhi, Police
Station- Samastipur Mufassil, District- Samastipur.
7. Prashant Kumar Rai Son of Deo Narain Rai Resident of Village-
Panchrukhi, Police Station- Samastipur Mufassil, District- Samastipur.
8. Shambhu Rai Son of Late Ram Kishore Rai Resident of Village-
Panchrukhi, Police Station- Samastipur Mufassil, District- Samastipur.
9. Ganeshi Das Son of Late Kaller Das Resident of Village- Panchrukhi, Police
Station- Samastipur Mufassil, District- Samastipur.
10. Harihar Das Son of Late Kaller Das Resident of Village- Panchrukhi, Police
Station- Samastipur Mufassil, District- Samastipur.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Dilip Kumar Roy, Adv.
For the Respondent/s :

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 20-07-2022 Perused the office note dated 18.7.2022 which is

with respect to the maintainability of the instant appeal in view

of the suit value from which the instant appeal arises being Rs.

5,00,100/-.

In view of the amended section 21(1)(a) of the



Bengal, Agra and Assam Civil Courts Act, 1887 wherein it is provided that appeal from a decree or order of a Civil Judge (Senior Division) shall lie to the District Judge where the value of the original suit in which the decree or order was made was less than Rs.10 lacs, the suit value from which the instant appeal arises being Rs. 5,00,100/- the appeal would lie before the District Judge.

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

(Partha Sarthy, J)

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