

IN THE HIGH COURT OF JUDICATURE AT PATNA
FIRST APPEAL No. 8 of 2014

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Musmat Bachani Kuer W/O Late Basudeo Mishra Resident Of Mauza -
Sonhan, P.O. - Mahuari, P.S. - Bhabua, District - Kaimur

... .. Appellant/s

Versus

1. Smt. Punam Mishra and Ors. W/O Ramayan Mishra
2. Ramayan Mishra
3. Sudama Mishra
4. Radheshyam Mishra All Sons Of Late Rambriksh Mishra @ Briksha Mishra
All Resident Of Village - Machahalpur, P.O. - Mahuari, P.S. - Sonhan,
District - Kaimur Bhabua
5. Kashinath Pandey S/O Nand Kishor Pandey Village - Dekahari, P.S. -
Bhagwanpur, District - Kaimur
6. Pritam Mishra S/O Ambika Mishra All Resident Of Village - Machahalpur,
P.O. - Mahuari, P.S. - Sonhan, District - Kaimur Bhabua

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Ajay Nandan Sahay
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

10 26-09-2022

Perused the office note dated 21.9.2022.

As per the defect pointed out in the stamp report dated 8.4.2019, it is stated that as per amendment in section 21 of the Bengal, Agra and Assam Civil Courts Act, 1887 appeal from a decree or order where the value of the original suit is less than Rs. ten lacs, the appeal would lie before the learned District Judge.

The suit from which the instant appeal has been preferred is valued at Rs. Three lacs.



In view of the above, the appeal is disposed of as not maintainable in view of the pecuniary jurisdiction on the amendment as stated above, with liberty to the appellant to move before the learned District Judge concerned within a period of four weeks from today along with the limitation petition.

The learned District Judge will take into consideration the filing and pendency of the appeal in this Court in deciding the limitation petition in accordance with law.

(Partha Sarthy, J)

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