

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Appeal No.875 of 2017

Geeta Devi, wife of Ram Awadhesh Dubey, Resident of village Amarhi, P.S. Rajpur, District Rohtas

... .. Appellant/s

Versus

1. Vidyawati Devi Wife of Suryanath Chaubey, resident of village Nima, P.O. Beseni Kalan, P.S. Rajpur, District Rohtas
2. Phulwanti Devi wife of Ashok Tiwari, resident of village Etarhia, P.O. Kulhariya, P.S. Karakat, District Rohtas
3. Saroj Devi wife of Dilip Dubey, resident of Mohalla Dihri Jakki Bigha, P.S. Dihri, District Rohtas
4. Sabita Devi wife of Bikas Dubey, resident of village Nauhatta, P.O. Nauhatta, P.S. Nauhatta, District Rohtas at present residing at Dehri on Sone, Rajputana Mohalla Near Kali Mandir, P.S. Dehri, District Rohtas
5. Mohita Devi wife of Om Prakash Pandey, resident of village Sonbarsa Madini, P.O. Thaunua, P.S. Shiv Sagar, District Rohtas

... Defendant/Respondent 1st Set

6. Abhishek Tiwari
7. Anjani Tiwari
8. Bajrangi Tiwari @ Bharat Tiwari
All are son of Late Suresh Tiwari, All are resident of village Rajpur, P.O. Rajpur, P.S. Rajpur, District Rohtas
9. Durga Devi wife of Vivek Chaubey, resident of village Chautha Kothra, P.S. Makar, P.S. Agrer, District Rohtas
10. Puja Devi, wife of Sunil Kumar Dubey @ Pappu Dubey, resident of village – Sanpura, P.O. Kumhara, P.S. Natwar, District Rohtas
11. Arti Kumari (minor) D/o Late Suresh Tiwari under guardianship of her mother namely Kunti Devi
12. Kunti Devi wife of Late Suresh Tiwari, resident of village Rajpur, P.O. Rajpur, P.S. Rajpur, District Rohtas

..... Defendants/ Respondent 2nd set - Respondents

Appearance :

For the Appellant/s : Mr. Bhanu Pratap Singh, Advocate
For the Respondent/s :

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 14-07-2022 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 miscellaneous appeal arises is Rs. 3 lacs.

In view of the above, the appeal would lie before the learned District Judge.

Learned counsel for the appellant seeks permission to withdraw the instant appeal with leave to move before the District Judge concerned.

The appeal is disposed of as withdrawn with the aforesaid liberty.

If the appeal is filed before the learned District Judge concerned within four weeks from today, along with a limitation petition, the District Judge shall take into consideration the filing of the appeal within time in this Court and shall decide the limitation petition in accordance with law.

Disposed.

(Partha Sarthy, J)

Spd/-

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