

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Appeal No.474 of 2023

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Kumar Vijay Prasad, aged about 66 years, Male, son of Saryu Prasad, resident of village- Sohaypur, P.S.- Muffasil (Manpur), District- Gaya, at present resident of Village- Bhusanda, P.O.- Nouranga, P.S.- Muffasil (Manpur), District- Gaya.

... .. Appellant/s

Versus

1. Santosh Kumar Rao,
2. Rahul Kumar Singh, son of Ishwar Rao,
Both resident of Village- Surheri, P.O.- Nouranga, (Manpur), P.S.- Muffasil (Manpur) District- Gaya.
3. Sanjay Kumar,
4. Ajay Kumar,
5. Abhay Kumar, respondent nos. 3 to 5 are son of Gopal Prasad, resident of Village- Bhusanda, P.O.- Nouranga, (Manpur), P.S.- Muffasil (Manpur) District- Gaya.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Bhim Sen Prasad, Advocate
For the Respondent/s :

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 22-08-2023 It appears that the suit value as well as appeal value is Rs.3,00,000/- only. The office has reported that in view of the valuation stated by learned counsel for the appellant in the memo of appeal, pecuniary jurisdiction would lie before the concerned District Judge.

2. Learned counsel for the appellant seeks permission to withdraw this appeal with liberty to file the same before the appropriate forum. Permission is granted.

3. In such view of the matter, this appeal is dismissed



as withdrawn.

4. Office is directed to return the memo of appeal along with its annexures and the impugned order to learned counsel for the appellant for filing the same before the appropriate forum.

5. The time consumed before this Court due to pendency of this appeal shall be taken into consideration while hearing on the point of limitation.

(Khatim Reza, J)

J. Alam/-

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