

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Appeal No.484 of 2023

1. Tarkeshwar Dubey, Male, aged about 60 years,
2. Bajarangi Dubey @ Bajarang Bali Dubey, Male, aged about 52 years,
Both sons of late Bishnudeo Dubey @ Vishundev Dubey, resident of village-
Dhanaute, Post and P.S.- Bijaipur, District- Gopalganj.

... .. Appellant/s

Versus

1. Devendra Gupta, Male, aged about 39 years, son of late Subash Chandra Gupta @ Late Subashchandra Gupta, resident of village- Rasulpur, Post and P.S.- Bijaipur, District- Gopalganj.
2. Nathuni Gond, Male, aged about 55 years, son of late Ram Chandra Gond @ Ramchandra Gond, resident of village- Pagra, P.S.- Bijaipur, District- Gopalganj.
3. Nand Prasad Shrivastav, Male, aged about 72 years, son of late Satyadev Prasad Shrivastav,
4. Most. Sharda Kunwar, Female, aged about 68 years, wife of late Dinesh Chandra Shrivastav @ Dineshchandra Shrivastav,
5. Arvind Kumar Shrivastav, Male, aged about 43 years, son of late Dinesh Chandra Shrivastav,
6. Rajnish Kumar Shrivastav, Male, aged about 48 years, son of late Dinesh Chandra Shrivastav
Respondent nos. 3 to 6 are resident of village, Post and P.S.- Bijaipur, District- Gopalganj.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Setu Prateek, Advocate
For the Respondent/s :

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 21-08-2023 It appears that the suit value as well as appeal value is Rs.2,00,000/- only. The office has reported that in view of the valuation stated by learned counsel for the appellants in the memo of appeal, pecuniary jurisdiction would lie before the concerned District Judge.

2. Mr. Setu Prateek, learned counsel for the appellants



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 In such view of the matter, this appeal is dismissed as withdrawn.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 appellants 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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