

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1449 of 2019**

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1. Parma Sah, S/o Late Jokhan Sah, Resident of Sakin-Sahebganj Road, Chakiya, P.S. and P.O.-Chakiya, District-East Champaran.
 2. Sharma Sah, S/o Late Jokhan Sah, Resident of Sakin-Sahebganj Road, Chakiya, P.S. and P.O.-Chakiya, District-East Champaran.
 3. Pappu Sah, S/o Late Jokhan Sah, Resident of Sakin-Sahebganj Road, Chakiya, P.S. and P.O.-Chakiya, District-East Champaran.
 4. Munna Kumar, S/o Late Jokhan Sah, Resident of Sakin-Sahebganj Road, Chakiya, P.S. and P.O.-Chakiya, District-East Champaran.

... .. Petitioner/s

Versus

Omprakash Singh @ Omprakash Gupta, Son of Late Ganga Prasad, Resident of Sakin-Sahebganj Road, P.S. and P.O.-Chakiya, District-East Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Samir Kumar, Advocate

For the Respondent/s : Mr. Dhananjay Kumar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR

ORAL ORDER

7 31-10-2023

Heard learned counsel for the parties.

2. By the impugned order dated 05.08.2019 passed by the Civil Judge (JD) Sadar, Motihari in Title Suit No. 23 of 2019 the application filed by the defendants with regard to the Suit valuation has been dismissed and the Suit has been found to be rightly valued.

3. Learned counsel for the petitioners has relied upon the Minimum Value Register on the date of filing of the Suit and has submitted that the Suit has been under-valued by the plaintiff.

4. Learned counsel for the respondent has submitted that the Suit has been rightly valued and the impugned order doesn't need any interference.



5. I have considered the submission of the parties and I am of the opinion that the impugned order cannot be sustained in view of the Minimum Value Register produced by the learned counsel for the petitioners.

6. Accordingly, this application is allowed and the matter is remitted back to the Court below and the Court below will decide the Suit valuation matter afresh after considering the Minimum Value Register of that area existing on the date of institution of the Suit. The application must be decided within 15 days of communication of this order.

(Sandeep Kumar, J)

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