

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Appeal No.368 of 2016

Ramkrit Sahani

... .. Appellant

Versus

Phuleshwari Devi

... .. Respondent

Appearance :

For the Appellant : Mr. Kumar Uday Singh, Advocate
For the Respondent :

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 21-08-2023 This Miscellaneous Appeal has been filed under

Section 299 of the Indian Succession Act, 1925 in a contentious

proceeding.

2. In view of case of *Kusheshwar Purbey Vs. Shri
108 Ram Janaki Jee S. reported in 2017(3) PLJR 791* which
reads as under:

*“..... the appeals filed under Section 299
of the Indian Succession Act in a
contentious proceeding as envisaged
under Section 295 of the Indian
Succession Act after 27.02.2012 shall be
treated for all purposes as First Appeals
and similarly the appeals filed under
Section 384(2) of the Indian Succession
Act shall be treated as Miscellaneous
Appeals for all purposes.”*

3. Office is directed to treat the present appeal as First

Appeal and accordingly, nomenclature of the case be changed.



4. List this appeal after conversion of the
Miscellaneous Appeal.

(Khatim Reza, J)

Gaurav Kumar/-

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