

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Appeal No.696 of 2012

Hira Lal Pandey

... .. Appellant/s

Versus

Sant Pandey

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Rakesh Chandra, Advocate
For the Respondent/s :

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

4 21-09-2023 This Miscellaneous Appeal has been filed under

Section 299 of the 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 case after a period of two weeks.

(Khatim Reza, J)

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