

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Appeal No.233 of 2016

The Estate Of Baban Devi and Ors

... .. Appellants

Versus

Venkatesh Sharma

... .. Respondent

Appearance :

For the Appellants : Mr. Ashutosh Singh, Advocate
For the Respondent :

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

4 05-07-2023 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 case on 19.07.2023, after changing the
nomenclature of the case.

(Khatim Reza, J)

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