

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Appeal No.405 of 2019

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Sunita Devi Wife of Shree Surendra Kumar Tripathi, D/o - Late Jagarnath Pandey, Resident of Village- Akhalaspur, Bhabhua, P.S. and District- Kaimur, presently residing at Village- Niwi, P.O.- Manihari, P.S.- Bhabhua, District- Kaimur.

... .. Appellant/s

Versus

Surendra Tripathi Son of Late Uma Nath Tripathi, Resident of Village- Akhalaspur, Bhabhua, P.S.- Bhabhua, District- Kaimur.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Ramesh Kumar Singh, Advocate
For the Respondent/s : Mr.Dhananjay Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

3 13-08-2024 Heard Miscellaneous Appeal No. 405 of 2019.

2. *Prima facie*, the present Miscellaneous Appeal is not maintainable in the light of Co-ordinate Bench decision dated 27.04.2010 in Civil Revision No. 1067 of 2009 (***Durga Devi vs. Vijay Kumar Poddar and Anr.***). On the other hand, appellant has remedy under civil miscellaneous petition. Thus, the present Miscellaneous Appeal No. 405 of 2019 stands disposed of for the purpose of statistics.

3. Registry is hereby requested to convert this Miscellaneous Appeal to that of civil miscellaneous petition and



list this matter before the concerned Roster Bench at the earliest.

(P. B. Bajanthri, J)

(Alok Kumar Pandey, J)

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