

IN THE HIGH COURT OF JUDICATURE AT PATNA
SECOND APPEAL No. 268 of 2024

1. Nadeer Beg alias Somar Son of Late Majeed Beg Resident of Village- Oraiya, Bardokhar, Police Station- Halsi, District- Lakhisarai.
- 1(a) Asma Begum, Wife of Nadeer Beg alias Somar, Resident of Village- Oraiya, Bardokhar, Police Station- Halsi, District- Lakhisarai.
- 1(b) Shamshad Beg, Son of Nadeer Beg alias Somar, Resident of Village- Oraiya, Bardokhar, Police Station- Halsi, District- Lakhisarai.
- 1(c) Sameed Beg, Son of Nadeer Beg alias Somar, Resident of Village- Oraiya, Bardokhar, Police Station- Halsi, District- Lakhisarai.
- 1(d) Bibi Bahuran, Daughter of Nadeer Beg alias Somar, Resident of Village- Oraiya, Bardokhar, Police Station- Halsi, District- Lakhisarai.
- 1(e) Bibi Haleema, Daughter of Nadeer Beg alias Somar, Resident of Village- Oraiya, Bardokhar, Police Station- Halsi, District- Lakhisarai.
- 1(f) Bibi Muhsina alias Masina, Daughter of Nadeer Beg alias Somar, Resident of Village- Oraiya, Bardokhar, Police Station- Halsi, District- Lakhisarai.
- 1(g) Bibi Bandi, D/o Nadeer Beg, Resident of Village- Oraiya, Bardokhar, Police Station- Halsi, District- Lakhisarai.

... .. Appellant/s

Versus

1. Zakeer Beg Son of Late Madhaw Beg Resident of Village- Oraiya, Bardokhar, Police Station- Halsi, District- Lakhisarai.
- 1(A) Becho Beg, Son of Late Zakeer Beg, Resident of Village- Oraiya, Bardokhar, Police Station- Halsi, District- Lakhisarai.
- 1(B) Raushan Beg, Daughter of Late Zakeer Beg, Resident of Village- Oraiya, Bardokhar, Police Station- Halsi, District- Lakhisarai.
2. Fakhroo Beg, Son of Late Madhaw Beg, Resident of Village- Oraiya, Bardokhar, Police Station- Halsi, District- Lakhisarai.
- 2(A) Jubaida Khatun, Wife of Late Fakhroo Beg, Resident of Village- Oraiya, Bardokhar, Police Station- Halsi, District- Lakhisarai.
- 2(B) Md. Sabbir Beg, Son of Late Fakhroo Beg, Resident of Village- Oraiya, Bardokhar, Police Station- Halsi, District- Lakhisarai.
- 2(C) Afzal Beg, Son of Late Fakhroo Beg, Resident of Village- Oraiya, Bardokhar, Police Station- Halsi, District- Lakhisarai.
- 2(D) Rubeda Khatun, Daughter of Late Fakhroo Beg, Wife of Gulam Rasul Beg, Resident of Village- Oraiya, Bardokhar, Police Station- Halsi, District- Lakhisarai.
- 2(E) Shamida Khatoon, Daughter of Late Fakhroo Beg, Wife of Shaukat Khan, Resident of Masaudha, Police Station- Jamui, District- Jamui.



- 2(F) Safida Khatun, Daughter of Late Fakhroo Beg, Wife of Anish Khan, Resident of Ahmedabad (Uttar Pradesh).
- 2(G) Hameeda Khatun, Daughter of Late Fakhroo Beg, wife of Kaum Khan, Resident of Amin, Police Station and District- Jamui.
3. Zafroo Beg, Son of Late Madhaw Beg, Resident of Village- Oraiya, Bardokhar, Police Station- Halsi, District- Lakhisarai.
4. Tayab Beg, Son of Late Madhaw Beg, Resident of Village- Oraiya, Bardokhar, Police Station- Halsi, District- Lakhisarai.

... ... Respondent/s

Appearance :

For the Appellant/s : Mr. Surya Narayan Sah, Advocate
For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 24-07-2025 This Second Appeal has been filed against Final Decree dated 24.01.2024. The suit valuation mentioned in the memo of appeal is Rs. 60,000/-.

2. Office has pointed out that against such Final Decree, proper remedy seems to lie by way of filing a memo of regular appeal under Section 96 of the Code of Civil Procedure before the learned District Judge concerned.

3. In such view of the matter, learned counsel for the appellant seeks permission to withdraw the present Second Appeal. Permission is granted.

4. Accordingly, the instant Second Appeal is dismissed as withdrawn.

5. If a proper appeal is filed before the concerned court then time consumed before this Court shall be taken into



consideration while condoning the limitation in that appeal.

(Khatim Reza, J)

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