

IN THE HIGH COURT OF JUDICATURE AT PATNA
FIRST APPEAL No.171 of 2025

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Ashok Kumar Gupta, Son of Late Ramchandra Prasad Gupta, Resident of
Mohalla Swarajpuri Road, Mahabir Ashram Lane, P.S.- Kotwali, District-
Gaya.

... .. Appellant/s

Versus

1. Niru Devi Wife of Ashok Kumar Gupta, Resident of Muhalla Swarajuri Road, Naklot Ganj, Police Station Kotwali, District- Gaya.
2. Amit Kumar, Son of Ashok Kumar Gupta, Resident of Muhalla Swarajuri Road, Naklot Ganj, Police Station Kotwali, District- Gaya.
3. Abhishek Kumar, Son of Ashok Kumar Gupta, Resident of Muhalla Swarajuri Road, Naklot Ganj, Police Station Kotwali, District- Gaya.
4. Sanjiv Kumar alias Tinku Son of Late Krishna Prasad, Resident of Muhalla Swarajuri Road, Naklot Ganj, Police Station Kotwali, District- Gaya.

... .. Respondent/s

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Appearance :

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

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 24-11-2025 It is submitted by the appellant's counsel that the instant appeal ought to have been filed as Miscellaneous Appeal under Section 299 of the Indian Succession Act and in this regard, the office note given in respect of the maintainability of this appeal may be perused, and he may be permitted to convert this appeal into a Miscellaneous Appeal.

2. Considering the aforesaid submission and having taken into account the office note, the appellant's counsel is permitted to convert this appeal into Miscellaneous Appeal and in this regard, necessary amendments be made in the Memo of



Appeal and in this regard, two weeks’ time is given to him.

3. Let the appeal, after conversion, be placed before
the appropriate Bench.

(Shailendra Singh, J)

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