

IN THE HIGH COURT OF JUDICATURE AT PATNA
FIRST APPEAL No.60 of 2025

Rakesh Kumar Vishwakarma @ Rakesh Kumar son of Ram Pravesh Vishwakarma, resident of Village-Pali, P.O.-Utrain Konch, P.S.-Konch, District-Gaya.

... .. Appellant/s

Versus

There is no Respondent/Opposite Party in the Probate Case No. 43/2018/21/2018 (C.I.S.) x

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ashok Kumar, Advocate

For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 18-04-2026 Perused the office notes dated 19.06.2025/16.04.2026. From perusal of record it appears that the present memo of appeal has been filed under Section 299 of the Indian Succession Act against Judgment dated 30.01.2025 passed by learned District Judge-I, Gaya in Probate Case No. 43/2018/21/2018 (C.I.S.), whereby learned Court below has rejected the petition filed under Section 276 of Indian Succession Act, for grant of Probate Certificate. the said Probate case seems to be non-contentious in view of para nos. 10, 11 and 12 of certified copy of Impugned Order.

2. In the light of the order dated 19.02.2024 passed in F.A. No. 39 of 2022, the appellant is directed to convert the



present First Appeal into Miscellaneous Appeal under Section
299 of the Indian Succession Act, within a period of four weeks.

(Rudra Prakash Mishra, J)

Rajorshi/-

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