

IN THE HIGH COURT OF JUDICATURE AT PATNA
FIRST APPEAL No.61 of 2022

=====

Uchita Nand Chaudhary @ Uchyita Nand Chaudhary Son of Late
Kamaleshwari Chaudhary Resident of Village- Bokhra, Police Station- P.O.
Prasando, P.S.- Haveli Khadagpur, District- Munger.

... .. Appellant

Versus

1. Samira Devi D/o Late Jaggu Chaudhary, W/o Ramswarup Chaudhary
Resident of Village- Sanhauli, P.O.- Kahua, P.S.- Sangrampur, District-
Munger.
2. Sachitanand Chaudhary S/o Late Kamaleshwari Chaudhary Resident of
Village- Bokhra, Police Station- P.O. Prasando, P.S.- Haveli Khadagpur,
District- Munger.
3. Subodh Chaudhary Son of Late Kamaleshwari Chaudhary Resident of
Village- Bokhra, Police Station- P.O. Prasando, P.S.- Haveli Khadagpur,
District- Munger.
4. Abodh Chaudhary Son of Late Kamaleshwari Chaudhary Resident of
Village- Bokhra, Police Station- P.O. Prasando, P.S.- Haveli Khadagpur,
District- Munger.
5. Lalan Chaudhary Son of Late Kamaleshwari Chaudhary Resident of Village-
Bokhra, Police Station- P.O. Prasando, P.S.- Haveli Khadagpur, District-
Munger.
6. Sijan Chaudhary Son of Late Kamaleshwari Chaudhary Resident of Village-
Bokhra, Police Station- P.O. Prasando, P.S.- Haveli Khadagpur, District-
Munger.
7. Uday Kumar Chaudhary Son of Late Yogendra Chaudhary Resident of
Village- Bokhra, Police Station- P.O. Prasando, P.S.- Haveli Khadagpur,
District- Munger.
8. Sonu Chaudhary Son of Late Subodh Chaudhary Resident of Village-
Bokhra, Police Station- P.O. Prasando, P.S.- Haveli Khadagpur, District-
Munger.
9. Tendulkar Chaudhary Son of Late Subodh Chaudhary Resident of Village-
Bokhra, Police Station- P.O. Prasando, P.S.- Haveli Khadagpur, District-
Munger.

... .. Respondent/s

=====

Appearance :

For the Appellant/s : Mr.Rajesh Ranjan, Advocate
For the Respondent/s : Mr.

=====

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER



3 15-04-2026 Perused the office notes dated 09.04.2026. From perusal of record it appears that the present memo of appeal has been filed against Order/Judgment dated 28.05.2022 passed by learned 3rd Additional District Judge, Munger, whereby learned Court below has rejected the Probate Case No. 07 of 2017 filed for grant of probate. On going through the certified copy of impugned order, the said Probate Case does not appear to have been contested by the other side / party before the learned Court below.

2. In the light of the last two paragraphs of the order dated 11.08.2017 passed in F.A. No. 633 of 1998 and analogous cases as also vide order dated 30.08.2022 passed in F.A. No. 50 of 2022, the appellant is directed to convert the present First Appeal into Miscellaneous Appeal u/s 299 of the Indian Succession Act, within a period of four weeks.

(Rudra Prakash Mishra, J)

manish/-

U			
---	--	--	--

