

IN THE HIGH COURT OF JUDICATURE AT PATNA
FIRST APPEAL No.95 of 2024

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1. Most. Meena Devi Late Om Prakash Sah, Resident of village- Murowatpur, P.O. Muraowatpur, P.S. Desari, District- Vaishali. At present resident of village- Subhai, near Tulsi Chowk, P.S. Sadar Hajipur, District- Vaishali at Hajipur.
 2. Sunil Kumar @ Sunil Kumar Gautam, Son of Late Om Prakash Sah, Resident of Village- Murowatpur, P.O. Muraowatpur, P.S. Desari, District- Vaishali. At present resident of Village- Subhai, near Tulsi Chowk, P.S. Sadar Hajipur, District Vaishali at Hajipur.
 3. Sushil Kumar @ Sushil Kumar Gautam, Son of Late Om Prakash Sah, Resident of Village- Murowatpur, P.O. Muraowatpur, P.S. Desari, District- Vaishali. At present resident of Village- Subhai, near Tulsi Chowk, P.S. Sadar Hajipur, District Vaishali at Hajipur.
 4. Ranju Devi, daughter of Late Om Prakash Sah, Resident of Village- Murowatpur, P.O. Muraowatpur, P.S. Desari, District- Vaishali. At present resident of Village- Subhai, near Tulsi Chowk, P.S. Sadar Hajipur, District Vaishali at Hajipur.
 5. Sanju Devi, daughter of Late Om Prakash Sah, Resident of Village- Murowatpur, P.O. Muraowatpur, P.S. Desari, District- Vaishali. At present resident of Village- Subhai, near Tulsi Chowk, P.S. Sadar Hajipur, District Vaishali at Hajipur.

... .. Appellant/s

Versus

1. Smt. Chanda Devi Wife of Sita Ram Sah, resident of Village and P.O. - Muraowatpur, P.S. Desari, District- Vaishali.
2. Vishwanath Sah, son of Late Jagarnath Sah, resident of Village and P.O. - Muraowatpur, P.S. Desari, District- Vaishali.
3. Sita Ram Sah, son of Late Jagarnath Sah, resident of Village and P.O. - Muraowatpur, P.S. Desari, District- Vaishali.
4. Ganesh Sah, son of Late Jagarnath Sah, resident of Village and P.O. - Muraowatpur, P.S. Desari, District- Vaishali.
5. Geeta Devi, daughter of Late Jagarnath Sah, resident of Village and P.O. - Muraowatpur, P.S. Desari, District- Vaishali.
6. Sakuntala Devi, daughter of Late Jagarnath Sah, resident of Village and P.O. - Muraowatpur, P.S. Desari, District- Vaishali.
7. Sunita Devi, daughter of Late Jagarnath Sah, resident of Village and P.O. - Muraowatpur, P.S. Desari, District- Vaishali.
8. Anita Devi, daughter of Late Jagarnath Sah, resident of Village and P.O. - Muraowatpur, P.S. Desari, District- Vaishali.

... .. Respondent/s

Appearance :



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

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

ORAL ORDER

2 02-04-2026 Perused the office notes dated 24.07.2025. From perusal of record it appears that the present memo of appeal has been filed u/s 96 of C.P.C. against Judgment dated 29.01.2024 passed by learned Additional District Judge-VII, Vaishali at Hazipur in Probate Case No. 64 of 2021, whereby learned Court below has allowed the said probate case. The said case does not appear to be contentious vide para Nos. 3 and 4 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 appellants are 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)

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