

IN THE HIGH COURT OF JUDICATURE AT PATNA
FIRST APPEAL No.142 of 2024

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1. Rohit Kumar Singh @ Pramod Kumar Son of Late Saheb Singh, Resident of village - Surhari, P.O. - Bhadeja, P.S.- Muffasil, District- Gaya, Bihar.
 2. Haridwar Singh, Son of Late Chandrika Singh, Resident of village - Surhari, P.O. - Bhadeja, P.S.- Muffasil, District- Gaya, Bihar.
 3. Binay Kumar Singh, Son of Late Saheb Singh, Resident of village - Surhari, P.O. - Bhadeja, P.S.- Muffasil, District- Gaya, Bihar.
 4. Vinod Kumar, Son of Late Saheb Singh, Resident of village - Surhari, P.O. - Bhadeja, P.S.- Muffasil, District- Gaya, Bihar.

... .. Appellant/s

Versus

Sanjay Singh Son of Laxmi Singh, Resident of village - Surheri, P.O. - Bhadeja, P.S.- Muffasil, District- Gaya, Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ranjeet Tiwary, Advocate
For the Respondent/s : Mr.

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

ORAL ORDER

2 08-04-2026 Perused the office notes dated 02.12.2024/26.03.2026.

From perusal of record it appears that the present memo of appeal has been filed u/s 96 of C.P.C. against impugned order dated 26.08.2019 passed by learned Additional District Judge- III, Gaya in Probate Case No. 46 of 2019 / 10 of 2015, whereby learned Court below has allowed the said case ex-parte. The said case seems to have not contested by Opposite party in view of para No.3 of the 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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