



**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.4 of 2023**

Ashok Kumar @ Ashok Prasad Son of Late Ram Nath Sah, Resident of Village- Kot Bazar Sitamarhi Town, Ward No. 17, P.S. and District- Sitamarhi.

... .. Petitioner/s

Versus

1. Dharmendra Kumar Son of Late Ram Nath Sah, Resident of Village- Sitamarhi Kot Bazar, Ward No. 17, P.S. and District- Sitamarhi.
2. Smt. Usha Devi Wife of Shyam Bihari Prasad, resident of Village- Maibi, P.S.- Bathnaha, District- Sitamarhi.
3. Abhay Kumar Gupta Son of Shyam Bihari Prasad, resident of Village- Maibi, P.S.- Bathnaha, District- Sitamarhi.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar
For the Respondent/s : Mr.

**CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER**

2 29-01-2026

Heard learned counsel for the petitioner.

2. It appears that the present application has been filed as a Civil Miscellaneous case; however, on perusal of the pleadings and the relief sought, this Court finds that the matter is in the nature of a Miscellaneous Appeal and is required to be registered and heard accordingly.

3. Learned counsel for the petitioner also submits that the present proceeding has been inadvertently filed as a Civil Miscellaneous case and prays for its conversion into a Miscellaneous Appeal.

4. Considering the nature of the proceeding and in the





interest of justice, the prayer is allowed.

5. Accordingly, the present Civil Miscellaneous case is directed to be converted into a Miscellaneous Appeal.

6. Put up this case before appropriate Bench.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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