

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18955 of 2024

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Shailendra Singh @ Shailendra Kumar Son of Late Arjun Singh Resident of
Village- Ramchandrapur, Ward No. 8, Post Office Ramchandrapur, Police
Station -Pipariya, District -Lakhisarai

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secrerary, Revenue and Land Reforms, Government of Bihar, Patna.
2. The Collector, Lakhisarai.
3. The Sub-Divisional Officer, Mahanpur, Pipriya, District-Lakhisarai.
4. The Circle Officer, Mahanpur, Pipriya, Lakhisarai.
5. Smt. Anjila Devi @ Anjial Devi, Wife of Sri Parmanand Singh Resident of Village- Ramchandrapur, Ward No. 8, Post Office Ramchandrapur, Police Station -Pipariya, District -Lakhisarai

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Niranjan Kumar, Advocate
For the Respondent/s	:	Mr.Standing Counsel (11)
For Resp No.5	:	Mr.Sushant Praveen, Advocate

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 19-12-2024 1. The present writ petition has been filed seeking the
following relief(s):-

“1(i) Issuance of a writ of Certiorari or appropriate writ(s), order(s) or direction(s) in the nature of Certiorari to quash the important notice (Khas-Suchna), issued vide Memo No.1101, dated 19.11.2024, under the signature of Respondent No.4 (Annexure P-5) whereby and whereunder the Petitioner has been directed to remove his pucca house with boundary wall, situated at Khata No. 1632, Khesra No.3312, Rakawa



(measuring) 9 decimal, by giving reference of C.W.J.C No.1531 of 2024 (Anjila Devi Vs The State of Bihar and Ors.) and MJC No. 3480 of 2024, with a direction to vacate the encroached area till 21.11.2024, otherwise administration will vacate the place forcibly.

(ii) Issuance of a writ of Mandamus or a writ, order or direction in the nature of Mandamus or any other appropriate writ, order or direction directing the Respondent No. 4 not to disturb the pucca house with boundary wall of the Petitioner; as mentioned in aforesaid Notice contained in Memo No. 1101 dated 19.11.2024 (Annexure P-5).

(iii) Issuance of a writ in the nature of mandamus or any other appropriate writ directing to stay the operation of the aforesaid important notice (Khas-Suchana), issued vide Memo No. 1101 dated 19.11.2024, under the signature of Respondent No.4, with a direction to remove the Encroachment of the pakka house with boundary wall of the Petitioner situated at Khata no.1632, Khesara No.3312.”

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to avail such other



alternative remedies as are otherwise available under the law, including that of filing a civil suit before the learned Civil Court having competent jurisdiction, however, seeks some protection during the interregnum period. Liberty so sought is granted.

3. It is needless to state that for a period of eight weeks from today, status quo existing as on today qua the land/house of the petitioner in question shall be maintained in order to enable the petitioner to file a suit before the learned Civil Court of competent jurisdiction and obtain injunction in his favor.

4. The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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