

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.143 of 2025

In
Civil Writ Jurisdiction Case No.19724 of 2024

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1. Vijay Pandey Son of Vindhyachal Pandey Resident of Village-Mehadiya Bhaishahi, P.O. Pokhariya Rai, P.S. Chanpatiya, District- West Champaran.
 2. Vindhyachal Pandey Son of Late Bhola Pandey Resident of Village-Mehadiya, Bhaishahi, P.O. Pokhariya Rai, P.S. Chanpatiya, District-West Champaran.
 3. Ajay Pandey Son of Vindhyachal Pandey and Presently Posted as BSF Officers at Indo-China Border)
 4. Jitendra Pandey Son of Vindhyachal Pandey and Presently Posted as BSF Officers at Indo-China Border)

... .. Appellant/s

Versus

1. The State of Bihar through Collector, West Champaran at Bettiah.
2. The Collector, West Champaran at Bettiah.
3. The Sub-Divisional Officer, Bettiah, West Champaran.
4. The L.R.D.C., Bettiah West Champaran.
5. The Circle Officer, Chanpatiya, District-West Champaran.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Rudrank Shivam Singh, Advocate
For the Respondent/s : Mr.Additional Advocate General-12

CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date : 25-06-2025

Re: I.A. No. 02 of 2025

The learned counsel for the appellants/applicants
presses I.A. No. 02 of 2025 seeking condonation of delay of
4 days in preferring this appeal.



2. For the reasons stated in the Interlocutory Application, the delay of 4 days in preferring this appeal is condoned.

3. The Interlocutory Application No. 02 of 2025 stands allowed.

Re: LPA No. 143 of 2025

4. On the prayer of the writ-petitioner, the learned Single Judge vide his judgment dated 07.01.2025, without noticing the appellants who were one of the parties in the encroachment case, directed the Circle Officer to conclude the proceedings, if yet not concluded, within a period of six weeks from the date of receipt/production of a copy of that order.

5. We fail to understand as to how this order would in anyway prejudice the case of the appellants herein.

6. In order to allay his fears, we can only add that in case the appellants have not filed their representation before the Circle Officer, they would be given an opportunity to do so and the Circle Officer shall pass a final order within the stipulated time, but only after hearing the parties and giving reasons for his decision.



7. With the aforenoted modification in the
impugned judgment, this appeal is disposed off.

(Ashutosh Kumar, ACJ)

(Partha Sarthy, J)

P.K.P./-

AFR/NAFR	
CAV DATE	
Uploading Date	26.06.2025
Transmission Date	

