

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15448 of 2025

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Umesh Choudhary Son of Late Jagdish Choudhary Resident of village and
P.O.- Muriya, P.S.- Bhalapatti, District- Darbhanga, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through Collector, Darbhanga.
2. The Anchal Adhikari, Sadar, Darbhanga.
3. The Sub Divisional Magistrate, Distt.- Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Piyush Kant Singh
For the Respondent/s : Mr.Standing Counsel (26)

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 10-10-2025 1. Heard the parties.

2. The petitioner has filed this writ application being aggrieved by the final notice issued under Section 6(2) of the Bihar Public Land Encroachment Act, 1956 served upon him for removal of encroachment from the subject land situated at Mauza -Mohammadpur Muriya, P.S. - Bhalapatti, R.S. Khata No. 730, Khesra No. 1765 having an area of 21 decimal.

3. Learned counsel for the petitioner submits that petitioner is the settler of the ex-landlord and 'jamabandi' has been created in his favour. The State is claiming the property as public land and the Circle Officer, Sadar, Darbhanga has passed the order for removal of encroachment and demolition of the petitioner's property in Encroachment Case No. 37 / 2024-25.



The petitioner has filed an Appeal before the learned Collector, Darbhanga bearing Appeal No. 16 / 2025 on 03.05.2025. The Appeal is not being heard and the petitioner has strong apprehension that his house upon the subject land shall be demolished.

4. Learned counsel for the State submits that the Collector, Darbhanga may be directed to dispose the Appeal of the petitioner in accordance with law within a reasonable time frame.

5. Considering the submissions made by the parties and the fact that Appeal is pending before the Collector, Darbhanga; the Collector, Darbhanga is directed to dispose the same in accordance with law by a speaking order within a period of four months from today.

6. Till disposal of the Appeal No. 16 / 2025, there shall be no demolition of house / removal of encroachment from the subject land / property.

(Anil Kumar Sinha, J)

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