

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.66 of 2025

In
Civil Writ Jurisdiction Case No.18955 of 2024

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Smt Anjila Devi @ Anjial Devi, Wife of Sri Parmanand Singh, Resident of
Village-Ramchandrapur, Ward No. 8,P.O. - Ramchandrapur, P.S. - Pipariya,
District - Lakhisarai

... .. Appellant/s

Versus

1. Shailendra Singh @ Shailendra Kumar Son of Late Arjun Singh, Resident of
Village- Ramchandrapur, Ward No. 8, P.O. Ramchandrapur, P.S. Pipariya,
District -Lakhisarai.
2. The State of Bihar through the Principal Secrerary, Revenue and Land
Reforms, Government of Bihar, Patna.
3. The Collector, Lakhisarai.
4. The Sub-Divisional Officer, Mahanpur, Pipariya, District – Lakhisarai.
5. The Circle Officer, Mahanpur, Pipriya, Lakhisarai.

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Sushant Praveer, Advocate Mr. Aayush Abhishek, Advocate
For the Respondent/s	:	Mr. Additional Advocate General (12)

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 29-01-2026 This Letters Patent Appeal has been filed by Smt.

Anjila Devi @ Anjali Devi challenging the order dated

19.12.2024 passed by the learned Single Judge in C.W.J.C. No.

18955 of 2024.

The writ petition was filed by one Shailendra Singh @

Shailendra Kumar, who is respondent no.1 in this Letters Patent

Appeal, seeking for following reliefs:-

“1(i) Issuance of a writ of Certiorari or a writ, order or direction or any other writ(s), order(s) or direction(s) in the nature of Certiorari to quash the important notice (Khas-Suchna) as issued vide Memo No.1101, dated 19.11.2024 under 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 given therein reference No. 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 as ad interim relief stay the operation of the aforesaid important notice (Khas-Suchana) as issued vide Memo No. 1101 dated 19.11.2024

under signature of Respondent No.4 with direction to remove the Encroachment of the pakka house with boundary wall of the Petitioner situated at Khata no.1632, Khesara No.3312.”

2. It appears that when the matter was taken up on 19.12.2024, the learned counsel for the petitioner in the writ petition sought for liberty to avail the alternative remedy in accordance with law and further sought for some protection during the interregnum period. Accordingly, the Court disposed of the writ petition, however, observed that for a period of eight weeks from the date of passing the order i.e. 19.12.2024, status quo existing as on that day qua the land/house of the petitioner of the writ petition shall be maintained in order to enable him to take appropriate remedy before the appropriate forum.

3. Learned counsel for the appellant submits that when specific provisions are available for the writ petitioner under the Bihar Public Land Encroachment Act, 1956, the learned Single Judge should not have passed the impugned order granting stay for eight weeks.

4. Needless to say that the period of eight weeks is already over and it is not known whether the writ petitioner has taken recourse to any remedy in accordance with law for

challenging the Memo No. 1101 dated 19.11.2024 of the Circle Officer, Mahanpur, Pipariya, Lakhisarai or not. The order seems to have been passed, since the petitioner stated that there was pucca house with boundary wall existing in the land in question in respect of which direction has been issued for removal of the pucca house.

5. In view of the limited scope of interference in the Letters Patent Appeal, since we do not find any perversity or palpable unreasonableness in the impugned order, we are not inclined to entertain this Letters Patent Appeal, which accordingly stands dismissed.

6. Interlocutory Application(s), if any, shall stand disposed of.

(Sangam Kumar Sahoo, CJ.)

(Bibek Chaudhuri, J.)

Jyoti Kumari/-

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