

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8734 of 2026

1. Shailesh Kumar Singh @ Shailesh Kamkar S/o-Parashnath Prasad @ Parashnath Kamkar, R/o-Narahwa Kot, Kotnarahwan, P.S-Gopalpur, District-Gopalganj.
 2. Gauri Devi @ Mushmat Gori, W/o-Sanjay Prasad @ Late Sanjay Kamkar, R/o-63, Narahwa Kot, Kotnarahwan, P.S-Gopalpur, District-Gopalganj.
- Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Revenue and Land Reforms Department, Government of Bihar.
 2. The District Magistrate-cum-Collector, Gopalganj.
 3. The Deputy Collector Land Reforms, Gopalganj.
 4. The Sub-Divisional Magistrate, Gopalganj.
 5. The Circle Officer, Kuchaikote, Gopalganj.
 6. Sri Subhash Chandra Rai, S/o-Late Mathura Prasad, R/o-Kotnarawa, P.S-Gopalpur, District-Gopalganj.
- Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Deepankar Raj, Advocate
		Mr. Ashish Kumar Jha, Advocate
For the Respondent/s	:	Mr. Randhir Kumar, AC to Standing Counsel (18)

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 18-06-2026 Heard learned counsel for the petitioners and

learned counsel for the State.

2. The instant writ application has been filed for quashing the order dated 02.06.2026 passed in Case No.08/2025-26, whereby B.P.L.E. Case No.17/2024-25 dated 22.01.2025 has been affirmed and, pursuant thereto, respondent no.5 has directed demolition of the petitioners' property on 18.06.2026. The petitioners have further prayed for stay of operation and implementation of the impugned order till disposal of the present writ application.



3. Learned counsel for the petitioners submits that the petitioners and their family members have been residing in their house standing over land bearing Khesra No.446, Khata No.177, Thana No.552, Village- Kotnarwaha, for more than 90 years and have remained in peaceful possession thereof. He further submits that earlier Encroachment Case No.27/20/27/22 of 2007-08 dated 07.12.2007 was initiated by the then Circle Officer, Kuchaikote, in respect of the land in question and the temporary encroachment alleged therein, to the extent of 20 feet, had already been removed and the land was made encroachment-free. It is submitted that at present there is no encroachment over the land in question, yet ignoring the materials available on record, the authorities have directed demolition of the petitioners' house. It is further submitted that no fresh measurement has been carried out before passing the impugned order.

4. At this stage, learned counsel for the petitioners submits that there is a statutory remedy of appeal and the petitioners may be granted liberty to file an appeal before the Collector, Gopalganj, along with all supporting materials as well as the relevant revenue records, so as to ventilate their grievances.



5. On the other hand, learned counsel for the State does not dispute the factual position and submits that the petitioners may be granted liberty to file an appeal before the Collector, Gopalganj, for adjudication of their grievances.

6. Considering the stand of the parties, this Court directs the petitioners to file an appeal before the Collector, Gopalganj, within a period of two weeks from today, along with all supporting documents and revenue records which they propose to rely upon for adjudication of their grievances.

7. It is made clear that if such appeal is preferred by the petitioners within the stipulated period, status quo with regard to the subject property shall be maintained till final orders are passed in the appeal.

8. With the aforesaid observations and directions, the instant writ application stands disposed of.

9. Mr. Randhir Kumar, learned A.C. to S.C.-18, is directed to communicate this order to the concerned authority forthwith through electronic mode as well as by letter.

(Ajit Kumar, J)

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