

NOTICE

In Writ-C No.11176 of 2024 [*Smt. Raj Lakshmi And 3 Others Vs State Of U.P. Thru. Its Secy. Deptt. Of Revenue Lko. And 6 Others*], the following questions have been referred to the Larger Bench :

“(1) Whether the Co-ordinate Bench has correctly decided Writ - C No. 10291 of 2024; Ran Vijay Singh Vs. State of U.P. and Ors. vide its judgment dated 10.12.2024 considering the fact that the challenge in the said writ petition was to an administrative letter/order the Secretary (Home), Government of U.P., Lucknow dated 07.10.2024 and the consequential action taken in pursuance to it, by which the petitioner of the said writ petition was dispossessed from land in his possession by administrative authorities without following the due process of law, especially as, validity of such an administrative letter and action consequential thereto, could not be adjudicated in Second Appeal No. 131 of 2024 pending before this High Court at Lucknow, and also as, question of possession was not directly involved in the said proceedings and in fact no such direction was issued by the first appellate Court in its judgment and decree dated 03.04.2024 for dispossession of the petitioners and even if it had been issued, the law prescribes a process for execution of the same under the Code of Civil Procedure 1908 ?

(2) Whether the letter/order of the Secretary (Home), Government of U.P., Lucknow dated 07.10.2024 was permissible in law when there was a dispute between the parties as to title and validity of a will deed was subjudice before the Court ?

(3) Could the Secretary (Home), Government of U.P., Lucknow vide his letter/order dated 07.10.2024 and could the district administration, Pratapgarh, in compliance thereof, take possession of the land in question from those in possession i.e. the petitioners and hand it over to the respondents, instead of asking the aggrieved persons to pursue legal remedies in a Court of competent jurisdiction as prescribed in law ?

(4) Whether the letter/order of the Secretary (Home), Government of U.P., Lucknow dated 07.10.2024 and action taken in pursuance thereof does not circumvent the procedure prescribed in law for obtaining possession through statutory remedies which may be prescribed, such as, a suit for possession or ejection under Section 134 of the U.P. Revenue Code, 2006 or such other remedies as may be prescribed under the relevant statute and whether the letter/order dated 07.10.2024 and action taken as a consequence thereof is not destructive of the basic principle of rule of law ?”

The Hon'ble Larger Bench comprising Hon'ble Sangeeta Chandra, J., Hon'ble Abdul Moin, J. and Hon'ble Manish Mathur, J. is likely to be constituted on 11.08.2025. Learned members of the Bar may appear to assist the Hon'ble Larger Bench after obtaining necessary permission from the Hon'ble Court and may submit their written submissions and compilation of cases before the Hon'ble Court in advance.

**BY ORDER OF HON'BLE THE CHIEF JUSTICE
01.08.2025**