

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9618 of 2014

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Md. Safique Alam @ Shafique Alam son of Late Md. Ishaq resident of village Mankosi, Gram Panchayat Moratal, P.S. and Anchal Bodh Gaya, at present a suspended and cancelled Licensee, bearing Licence No. 19/1990 of the Fair Price Shop under the Public Distribution System.

.... Petitioner

Versus

1. The State of Bihar
2. The Divisional Commissioner, Magadh Division, Gaya.
3. The District Magistrate, Gaya.
4. The Subdivisional Officer, Sadar, Gaya.
5. The District Supply Officer, Sadar, Gaya.
6. The Block Development Officer, Bodh Gaya, District Gaya
7. The Block Supply Officer, Bodh Gaya , District - Gaya.

.... Respondents

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Appearance :

For the Petitioner : Mrs. Madhuri Kumari, Advocate.

For the Respondents : Smt. N. MISHRA GA-13

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 19-07-2018

Heard learned counsel for the petitioner and learned
counsel for the respondents.

2. The present writ petition has been filed for quashing the order dated 17.10.2013 passed by Commissioner, Gaya Division (respondent no. 2) in Supply Revision Case No. 82 of 2013 by which Commissioner has dismissed the revision application solely on the ground of limitation and the appeal against the order dated 02.12.2011 passed by District Magistrate, Gaya has been dismissed only on the ground of limitation and also for restoration of licence no. 19 of 1990 dated 15.11.1990 granted to the petitioner for running P.D.S. shop in



village Mankosi within Gram Panchayat Moratal lying under the Police Station and Anchal Bodh Gaya, District- Gaya.

3. A bare perusal of the impugned order dated 02.12.2011 passed in Supply Appeal No. 132 of 2011 by the District Magistrate, Gaya discloses that the same has been passed on merits and does not amount to dismissal on the grounds of limitation. Thereafter, this Court in C.W.J.C. No. 8265 of 2012 directed the revisional authority to consider the revision application of the petitioner in accordance with law as well as the application for condoning delay. The revisional order clearly states that there was a delay of 131 days in filing the revision application and for which no application for condonation of delay was filed. The petitioner has also not been able to controvert this finding of fact and no averment has been made in the writ petition that condonation petition was filed.

4. In the above circumstances, this Court finds no infirmity in the impugned order and the writ petition stands dismissed.

(Vikash Jain, J)

Md. Ibrarul/BT

AFR/NAFR	NAFR
CAV DATE	N.A.
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