

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7038 of 2021

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Bijay Singh @ Bijay Kumar Singh S/o Ramsvarup Singh, Resident of Village
- Fatehapur, Ward No. 5, P.S. Fatehpur, District - Sheohar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Food and Consumer Protection
Department, Government of Bihar, Patna.
2. The Commissioner, Tirhut Division, Muzaffarpur.
3. The Collector, Sheohar.
4. The Sub Divisional Officer, Sheohar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari, Advocate
For the Respondent/s : Mr. Arvind Ujjawal, SC-4

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 04-01-2022

The petitioner has prayed for the following relief/s :-

“for setting aside the order dated
04.09.2018 passed in PDS Revision Case No.
172/2017 by the learned Commissioner, Tirhut
Division, Muzaffarpur by which he was pleased to



dismissed the statutory Revision on the ground of limitation and further the learned Revisional Authority may be directed to disposed of the Revision Case No. 172/2017 on merit in accordance with law.”

Learned counsel for the petitioner states that he shall file an appropriate application explaining the delay in not filing the petition for revision within the stipulated period of time.

If the petitioner were to do so, within next four weeks, we are sure that the revisional authority shall, by taking a lenient view, considering the fact the petitioner is a poor person, take appropriate decision, in accordance with law.

We notice that while dismissing the revision petition, what has weighed with the authority is only the delay which prompted in passing the order for dismissal of the petition for revision.

As such, on this short ground alone, we quash and set aside the order dated 04.09.2018, passed in PDS Revision Case No. 172/2017 by the Commissioner, Tirhut Division, Muzaffarpur (Annexure-3).

The petitioner is at liberty to file an application seeking condonation of delay in support of the revision petition and the appropriate authority shall take a decision in accordance



with law.

The petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, stands disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Ashwini/K.C.Jha

AFR/NAFR	
CAV DATE	
Uploading Date	06.01.2022
Transmission Date	

