

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3580 of 2023

Subodh Kumar Vidyarthi, aged about 53 years, S/o- Chandradeo Ram,
Resident of Village- Ram Janki Path, New Etwarpur, Kurthoul, P.S. Parsa
Bazar, District- Patna, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principle Secretary, Food and Consumer Protection Department, Government of Bihar, Patna.
2. The District Magistrate, Patna.
3. The Sub Divisional Officer, Patna Sadar.
4. The Assistant District Supply Officer, Patna Sadar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Kamod Kumar Vidyarthi, Advocate
For the Respondent/s : Mr. S. Raza Ahmad, AAG 5

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT

Date : 15-05-2023

Heard learned counsels for the respective parties.

2. In the instant petition, petitioner has prayed for the following relief/reliefs:

“That the petitioner is filling this writ petition for quashing the order dated 01.10.2022 passed by Learned District Collector cum District Magistrate Patna in E.C. appeal no. 01/2022-23 and further be pleased to restore the licence no. 11/2019 of the petitioner which licence has been cancelled by the learned S.D.O. Patna Sadar on 07.07.2021.”

3. Learned counsel for the respondent – State, on instruction, submitted that petitioner has alternative remedy of



revision before the revisional authority against the appellate authority order dated 01.10.2022, therefore, the present petition is premature.

4. Accordingly, the present petition stands disposed of reserving liberty to the petitioner to invoke revision under Section 32 (iv) of ***Bihar Targeted Public Distribution System (Control) Order, 2016***. If such revision is filed before the revisional authority, revisional authority is hereby directed to decide the petitioner’s revision petition within a period of four months from the date of receipt of revision petition.

5. If there is any hurdle of limitation, in entertaining the revision petition, petitioner is hereby directed to file an interlocutory application for condonation of delay. Revisional authority is hereby directed to examine the same, in accordance with law. Revisional authority is also hereby directed to take note of Section 14 of the Limitation Act, 1963 for the purpose of condonation of delay or any other special provision.

(P. B. Bajanthri, J)

GAURAV S./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	18.05.2023
Transmission Date	NA

