

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16277 of 2018

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Shambhu Yadav Son of Late Garjan Yadav, PDS, Dealer, Resident of Village-
Khutwaniya Jaralpur, P.S.-Yogapatti, District-West Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate, District-West Champaran at Bettiah.
3. The District Supply Officer, District-West Champaran at Bettiah.
4. The Sub-Divisional Officer, Bettiah Sadar, District-West Champaran at Bettiah.
5. The Block Supply Officer, Block Yogapatti, District-West Champaran, Bettiah.
6. The Supply Inspector, Block-Yogapatti, District-West Champaran, Bettiah.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Adv.
For the Respondent/s : Mr. Arvind Ujjwal - SC-4

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 16-07-2025

1. The writ petition is filed for the following
reliefs:

*(I) For issuance of a writ in
the nature of Certiorari, or any
other appropriate writ, order or
direction for quashing/ setting
aside the order dated
21.03.2018, [Annexure-3] passed
by the District Magistrate, West
Champaran, Bettiah, in Case No.*



CRM-58/2016-17, whereby and where under the learned District Magistrate, West Champaran, dismissed the appeal of the petitioner on the sole ground of limitation in filing the appeal against the order dated 04.10.2012 passed by the Sub-Divisional Officer, Bettiah Sadar, in which the respondent S.D.O. Bettiah Sadar quite erroneously cancelled the PDS License of the petitioner.

(II) Also for setting aside the order dated-Sub-Divisional 4.10.2012 passed by the Officer, Bettiah Sadar whereby and whereunder the petitioner's license of P.D.S. System has wrongly and legally been cancelled.

(III) For issuance of a writ in the nature of Mandamus or any other appropriate writ, order, direction to the respondent authorities to restore the PDS, license of the petitioner vide License No. 01/2007, which has been cancelled quite illegally by



*the Sub-Divisional Officer, Bettiah
Sadar.*

*(IV) For issuance of any
other appropriate writ, order/
orders, direction/directions for
which the petitioner shall be found
entitled under the facts and
circumstances of the case.*

2. At this juncture, the Learned counsel for the respondents contended that Section 32(vi) of the Bihar Targeted Public Distribution System (Control) Order, 2016 provides for the provision of revision. Section 32(v) and (vi) read as follows:

“32. (v) Till the disposal of appeal pending, the Appellate Authority may direct that the order under appeal shall not take effect for such period as the authority may consider necessary for giving a reasonable opportunity to the other party under sub-clause (4) or until the appeal is disposed of, whichever is earlier.

(vi) Due to non disposal of the appeal within sixty days by the District Officer or against the order passed in the appeal, a revision may be filed before



the Divisional Commissioner. The revision shall be disposed of within two months.

3. Admittedly, the present case is filed against the order of District Magistrate, West Champaran, Bettiah in Case No. CRM-58/2016-17 dated 21.03.2018.

4. The learned counsel for the petitioner contended that he intends to file a revision before the Divisional Commissioner, but the limitation period for filing the revision has lapsed. He prayed for a direction to the concerned Divisional Commissioner to entertain the revision petition in accordance with Section 5 of the Limitation Act.

5. Taking into consideration that the petitioner has an alternative remedy for filing a revision, the writ petition is disposed of with a direction to the petitioner to file the revision petition within four weeks from the date of receipt of this order before the Divisional Commissioner. The delay in filing the revision shall be condoned by the Divisional Commissioner, and the authority shall



dispose of the revision within two months from the date of filing of the revision petition.

6. With the above said observation, the Writ petition is disposed of.

7. Interlocutory Application(s), if any, shall stand disposed of.

(G. Anupama Chakravarthy, J)

Manish/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	17.07.2025
Transmission Date	

