

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7674 of 2017

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Jakera Begam W/o Jiyaaur Rahman R/o Village-Makhara, Panchayat-Balia,
P.S.-Kochadhaman, District-Kishanganj

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Food and Civil Supply,
Government of Bihar.
2. The District Magistrate, Distt-Kishanganj.
3. The District Supply Officer, Distt-Kishanganj.
4. The District Welfare Officer, Distt-Kishanganj.
5. The Sub-Divisional Officer, Distt-Kishanganj
6. The Block Development Officer, Distt-Kishanganj

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Giri, Advocate
For the Respondent/s : Mr. S. Raza Ahmad- AAG 5

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY
ORAL JUDGMENT
Date : 21-04-2025

1. The writ petition is filed for setting aside the order dated 14.02.2017, passed in Supply Appeal Case No. 22/2015 (Annexure-3), by the Collector-cum-District Magistrate, Kishanganj, by which he affirmed the order dated 10.12.2014 as contained in Memo No. 1047, passed by the Sub Divisional Officer, Kishanganj, and cancelled the PDS license No. 121KD/2007 of the petitioner.

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 in Supply Appeal Case No. 22 of 2015 dated 14.2.2017.

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 of filing a revision, the writ petition is disposed of with a direction to the petitioner to avail of this alternative remedy 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.

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)

Spd/-

AFR/NAFR	NAFR
CAV DATE	NA
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