

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17607 of 2017

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Rakesh Prasad Son of Late Ramesh Prasad Panchayat Manjhariya, Block
Goundra, Sub Division Narkatiyaganj, District West Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. District Magistrate, West Champaran, Bettiah.
3. District Supply Officer, West Champaran, Bettiah.
4. Licence Authority Sub Divisional Officer Narkatiyaganj, West Champaran,
Bettiah.
5. Block Supply Officer, Narkatiyaganj, West Champaran, Bettiah.
6. Executive Magistrate Narkatiyaganj, West Champaran, Bettiah.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Suresh Prasad Sharma, Adv.
For the Respondent/s : Mr. Arvind Ujjwal Sc4

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 19-06-2025

1. The Writ petition is filed to quash the order dated 06.05.2013 passed by License Officer-Cum-Sub Divisional Officer, Narkatiyaganj, cancelling the dealership PDS shop bearing No. 72 of 2007 from immediate effect.

2. The brief contentions of the Writ petition are that the petitioner was a dealer under Jan Vitaran Pranali, having License No. 72 of 2007 in Gram



Panchayat Manjhariya to run a fair price shop falling within Block Gaunaya, West Champaran. The petitioner had been running the shop since the date issuance of the license. On 25.04.2013, the Sub Divisional Officer, Narkatiyaganj, inspected the shop of the petitioner and found certain irregularities in the stock register, and also noted that the quantity of the foodgrains and Kerosene oil given to the particular person was not recorded in the distribution register. He issued a show cause notice to the petitioner vide Memo No. 229 dated 25.04.2013. The petitioner submitted a detailed reply stating that he could not maintain the register properly as he was occupied with his brother's marriage and also sought an apology. The Licensing authority-cum-S.D.O., Narkatiyaganj, has mechanically rejected the petitioner's reply and cancelled his license. Being aggrieved by the same, the present Writ petition has been filed.

3. Heard the Learned counsel for the petitioner as well as the Learned counsel for the respondent.



4. It is contended by the Learned counsel for the respondent that the petitioner had filed an appeal before the District Magistrate, Bettiah, and the Appellate Authority dismissed the appeal. However, petitioner has the alternative remedy of filing a revision u/s 32(vi) of the Bihar Targeted Public Distribution System (Control) Order, 2016, against the appellate order, and without availing that remedy, the petitioner has straight away filed the Writ petition.

5. On perusal of the record, it is evident that the Writ petition has been filed by the petitioner without challenging the appellate order by way of revision. If an alternative remedy is available, the petitioner has to file a revision before appropriate authority. Therefore, this Court is of the view that the Writ petition itself is not maintainable. The petitioner is directed to file a revision before the revisional authority within 30 days from the date of receipt of the order. The delay in filing the revision shall be condoned by the revisional authority and the authority shall dispose of the revision within three



months from the date of filing of the revision petition.

6. With the aforesaid observations, the Writ petition stands disposed of.

7. Interlocutory application(s) if any, shall stand dispose of.

(G. Anupama Chakravarthy, J)

AMANDEEP/-

AFR/NAFR	N/A
CAV DATE	N/A
Uploading Date	20.06.2025.
Transmission Date	

