

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15303 of 2017

=====

Arbind Kumar Singh S/o Late Ramswaroop Prasad Singh Resident of Village
- Fatehpur, P.S. - Tariyani, District - Sheohar.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Secretary, Food & Civil Supply Department,
Old Secretariat, Patna
2. The Secretary, Food and Civil Supply Department, Old Secretariat, Patna.
3. The District Magistrate, Sheohar.
4. The Sub Divisional Officer, Sheohar.
5. The Block Supply Officer, Tariyani.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari, Advocate
For the Respondent/s : Mr. S. Raza Ahmad-AAG 5

=====

CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY
ORAL JUDGMENT
Date : 17-06-2025

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

*“That the present writ
application is being filed on behalf of the
petitioner above named for setting aside
the order contained in memo no. 302
dated 02.05.2013 passed by the learned
Sub Divisional Officer, Sheohar by which
the PDS license of the petitioner has been
cancelled and further for quashing the
order dated 05.05.2015 passed by the
learned Collector, Sheohar in Supply
Appeal Case No. 21 of 2014 by which the*



learned Collector, Sheohar was pleased to dismissed the appeal and further be pleased to restore the license 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. 21 of 2014 dated 05.05.2015.

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 three 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)

Spd/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	17.06.2025
Transmission Date	

