

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14946 of 2018

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Hari Nath Yadav Son of Late Sita Ram Yadav, Resident of Village- Kamrail,
P.O.- Kamrail, P.S.- Marauna, District- Supaul.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Chief Secretary Govt. of Bihar, Patna
2. The Bihar State Food and Civil Supplies Corporation Ltd. through Manager,
Patna through Manager
3. The District Magistrate, Supaul.
4. The District Food and Civil Supply Officer, Supaul.
5. The Sub-Divisional Officer, Nirmali, Supaul.
6. The Sub Divisional Food and Civil Supply Officer Nirmali, Supaul.
7. The Block Development Officer, Marauna, Supaul.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	M/s Gagan Deo Yadav, Ravi Prakash Udeshya Kumar Yadav Vinod Kumar Rajesh Kumar, Advocates
For the Respondent/s	:	Mr. Arvind Ujjwal-SC 4

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 22-07-2025

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

“I. For quashing the order dated 29.05.2018 issued by the Collector, Supaul whereby and where under the application/representation of petitioner for renewal/grant licence of P.D.S. Dealer has been rejected on the ground that the representation of petitioner was time



barred.

II. To direct the respondent authorities to issue the renewal licence of P.D.S. Shop of the petitioner, after quashing the abovesaid order dated 29.05.2018, which who is the disease and unfortunately not filed application for renewal P.D.S. Shop licence within time and thereafter increasing good health he filed application for issue P.D.S. Licence.

III. Any other relief/reliefs for which the petitioner is entitled.”

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, from the reliefs prayed for in the writ petition, it is evident that the petitioner has an alternative remedy under the provisions of Bihar Targeted Public Distribution System (Control) Order, 2016.

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 concerned Divisional Commissioner. The delay in filing the revision shall be condoned by the Divisional Commissioner, and the authority shall dispose of the revision petition in accordance with law within three months from the date of filing of the same.

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	23.07.2025
Transmission Date	

