

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20408 of 2018

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Yogendra Paswan Son of Brahamdeo Paswan Resident of Village-Baliyawan,
P.S. Naubatpur, District-Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The District Magistrate, Patna.
3. The Additional District Magistrate, Supply Patna.
4. The Sub Divisional Officer, Danapur.
5. The Block Supply officer, Naubatpur, District Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Dr. Shraddhanand Paswan
For the Respondent/s : Mr.Arvind Ujjwal -Sc4

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 31-07-2025

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

“That the petitioner craves indulgence of this Hon'ble High Court for issuance of an appropriate writ in the nature of Certiorari for setting aside the order dated 02.06.2018 passed in E.C. Appeal No. 26/2013-14 as contained in Annexure-6 by Respondent No. 2 Whereby and where



under the Respondent No. 2 was pleased to conform the order dated 30.10.11 passed in P.D.S. Licenses No. 54/2017 as contained in Annexure- 3 by Respondent No. 4 who was pleased to cancel the P.D.S. 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 E.C. Appeal Case No. 26/2013-14 dated 02.06.2018.

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 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)

AMANDEEP/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	31.07.2025
Transmission Date	

