

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.53 of 2019

Ram Bilas Ravidas Son of Late Kanu Ravidas, Resident of Village- Baraini,
Police Station- Charki, District- Gaya.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate-cum-Collector, Gaya, District- Gaya.
3. The Sub Divisional Officer Sadar, Gaya, District- Gaya.
4. The District Supply Officer Gaya, District- Gaya.
5. The Block Supply Officer, Bodh Gaya, District- Gaya.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar
For the Respondent/s : Mr.S. Raza Ahmad- Aag5

**CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA
CHAKRAVARTHY**

ORAL ORDER

4 09-09-2025 1. The writ petition is filed for the
following reliefs:

For directing the Respondents for disposal of Supply Appeal No. 125 of 2007 arising out of order dated 07.09.2007 contained in Memo No. 997, passed by the Respondent No. 3 by which, P.D.S. Licence No. 17/92 was cancelled and his shop was attached with other P.D.S. Dealers. The petitioner further prays for direction of this Court



that his P.D.S. Licence
be restored be
restored.”

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 No. 125 of 2007 dated 07.09.2007.

4. The remedy available under the Act is to prefer an appeal before the District Magistrate. As the District Magistrate is the head of the Selection Committee he cannot review his orders in an appeal. Therefore, the petitioner is directed to file a complaint/application before the Divisional Commissioner.

5. 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.

6. 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 one month 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.

7. With the above said observation, the Writ petition is disposed of.

8. Interlocutory Application(s), if any, shall stand disposed of.

(G. Anupama Chakravarthy, J)

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