

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9063 of 2019

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Kameshwar Singh S/o Late Raja Singh R/o Village- Sathaura, P.S.-Jitna,
Dist.-East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal secretary Food Consumer Protection,
Bihar, Patna
2. The Collector, East Champaran at Motihari
3. The Block development Officer, Bankatwa, East Champaran.
4. The Sub-Divisional Officer Sikrahana, East Champaran.
5. The Block Supply Officer Bankatwa, East Champaran.
6. The District Agriculture Officer, Motihari.
7. The Block Agriculture Officer, Bankatwa, Motihari
8. Jitendra Kumar Singh @ Jitendra Kumar S/o Late Lal Babu Singh R/o
Village- Sathaura, P.S.-Jitna, Dist.-East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Dilip Kumar Tondon, Advocate
For the Respondent/s : Mr.S.Raza Ahmad (Aag5)

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY
ORAL JUDGMENT

Date : 19-09-2025

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

*“For issuance of an appropriate
with order or direction commanding the
respondent of cancel the license of
respondent Jitendra Kumar Singh bearing
licence no. 22/17 granted under public
distribution system violating the clause*



11(I) (VI) & 9(II) of notification dated 14.03.2016.”

2. At this juncture, the Learned counsel for the respondents contended that Section 32(iii) of the Bihar Targeted Public Distribution System (Control) Order, 2016 provides for the provision of appeal. Section 32(iii) read as follows:

“32 (iii). Any person aggrieved by an order of the licensing authority denying the issue or renewal of the license to the fair price shop owner or cancellation of the license may appeal to the District Officer within thirty days of the date of receipt of the order and the District Magistrate shall, as far as practicable, dispose the appeal within a period of sixty days.”

3. Admittedly, from the reliefs prayed for in the writ petition, it is evident that the petitioner has an alternative remedy of appeal available under Section 32(iii) of the Bihar Targeted Public Distribution System (Control) Order, 2016.



4. The Learned counsel for the petitioner contended that he intends to file an appeal before the concerned District Magistrate, but the limitation period for filing the appeal has lapsed. He prayed for a direction to the concerned District Magistrate to entertain the appeal in accordance with Section 5 of the Limitation Act.

5. Taking into consideration that the petitioner has an alternative remedy for filing an appeal, the writ petition is disposed of with a direction to the petitioner to file an appeal within four weeks from the date of receipt of this order before the concerned District Magistrate. The delay in filing the appeal shall be condoned by the District Magistrate, and the authority shall dispose of the appeal within three months from the date of filing of the appeal.



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)

amitkr/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	24.09.2025
Transmission Date	N/A

