

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16228 of 2017

Prabhu Nath Prasad son of Ram Sewak Prasad, resident of Village- Bankatwa,
Police Station- Lauriya, District- West Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar through Principal Secretary, Food and Civil Supply Department, Bihar Patna
2. The District Magistrate, West Champaran at Bettiah.
3. The Sub- Divisional Officer, Narkatiyaganj, District- West Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Akhileshwar Kumar Shrivastva, Advocate
For the Respondent/s : Mr.Arvind Ujjwal Sc4

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

Date : 14-07-2025

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

“a. For quashing the order dated 26.08.2016 passed in C.R.M. Case No. 17/2011-12 as contained in Annexure-8 by the Respondent No. 2, where under and whereby the Respondent No. 2 has affirmed the order dated 22.05.2007 passed by the Respondent No. 3 vide his Memo No. 432 as contained in Annexure-5, by which, the License of petitioner Under Public Distribution System (Under the Provision of Bihar Trade Articles (License Unification)



order 1984) bearing No. 22/85 has been cancelled.”

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 C.R.M. Case No. 17/2011-12 dated 26.08.2016.



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 Divisional Commissioner. The delay in filing the revision shall be condoned by the Divisional Commissioner, and the authority shall dispose of the revision within two 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)

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AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	14.07.2025
Transmission Date	N/A

