

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16664 of 2017

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Ram Sevak Yadav S/o Late Jaggan Yadav, R/o Vill.- Hardiya, P.S.- Chautham,
Distt.- Khagaria.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Collector, Khagaria.
3. The Sub-Divisional Officer-cum-Licensing Authority P.D.S, Khagaria.
4. The Block Supply Officer, Chautham Block, Khagaria.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar, Advocate
For the Respondent/s : Mr. S.Raza Ahmad -AAG 5

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 18-06-2025

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

“(I) For quashing the order issued by the respondent no.-3 contained in memo no.-27 dated 14.01.2009 whereby the PDS dealership license of the petitioner has been cancelled.

(II) For quashing the order dated 04.07.2017 passed by the respondent no.-2 whereby the supply appeal case no.- 6/2015-16 has been rejected and the order of cancellation of license dated 14.01.2009 has been affirmed.



(III) For direction upon the respondents to restore the license of PDS dealership of the petitioner and allow him to do his work.”

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 Case No. 6 of 2015-16 dated 04.07.2017.

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)

Spd/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	19.06.2025
Transmission Date	

