

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21542 of 2018

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Rukmini Devi Wife of Harendra Ray, Resident of Village- Mishrouli, P.S.-
Loukaria, Block- Bagaha-2, District- West Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Collector, Bettiah, District- West Champaran.
3. The Sub-Divisional Officer S.D.O., Bagha, District- West Champaran.
4. The District Marketing Officer, Bettiah, District- West Champaran.
5. The Marketing Officer, Bagaha-2 Block, District- West Champaran.
6. The Supply Inspector, Bagaha-2 Block, District- West Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha, Adv.
For the Respondent/s : Mr. S.Raza Ahmad -AAG-5

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 12-08-2025

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

That present application is being filed to issue a writ in the nature of certiorari to quash the Memo No. 179 dated, 22.06.2016 issued by SDO, Bagha (respondent No. 3) by which he was cancelled the PDS Dealer's License No. 51 of 2007 of the petitioner as well as to quash the order dated 03.08.2018 passed by the Collector, West



Champaran and Bettiah, (Respondent No. 2) by which he has dismissed the appeal of the petitioner bearing CRM Case No. 19 of 2016-17 and affirm the order of Learned SDO, Bagha, District West Champaran, further to issue a writ in the nature of mandamus commanding the respondents authorities to restore license of PDS Dealer No. 51 of 2007 in favour of the petitioner as there is no any fault in the part of the petitioner and above mentioned both the order have been passed without going into proper investigation of the case.

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. 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.

4. 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.

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

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

(G. Anupama Chakravarthy, J)

Manish/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	19.08.2025
Transmission Date	

