

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22402 of 2018

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Kare Lal Sharma S/o Late Chamak Lal Sharma Resident of Village-
Kankala,P.S.Rupauli,Distt.-Purnea

... .. Petitioner/s

Versus

1. The State Of Bihar through the Secretary, Food and Consumer Protection
Deptt, Govt of Bihar, Patna
2. The Collector, Patna
3. The Sub-Divisional Officer, Dhamdaha Purnea
4. The Additional District Supply Officer, Dhamdaha, Purnea

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Dhananjaya Nath Tiwari, Adv.
For the Respondent/s : Mr.Arvind Ujjwal- Sc4

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 20-08-2025

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

*“That the present Writ
appliation is being filed on behalf of
the petitioner above named for setting
aside the order contained in Memo No.
244 dated 22.6.2018 passed by the
learned SDO, Dhamdaha, Purnea by
which he was pleased to cancelled the
PDS license of the petitioner being
License No. 25 of 2016 and further be*



please to restore the license and supply of the petitioner.”

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. It is reported by the Learned counsel for the petitioner that the petitioner has already approached the District Magistrate and preferred a



Supply Appeal No. 152 of 2018.

4. It is the specific contention of the Learned counsel for the petitioner that he is not aware of the factual position, as to whether the appeal has been disposed of or not? However, even if the appeal has been disposed of, the petitioner has an alternative remedy to file a revision before the Divisional Commissioner. It is contended that if the appeal is disposed of, liberty may be granted to file a revision before the concerned Divisional Commissioner in accordance with law including the limitation aspect.

5. Taking into consideration that the petitioner has already availed the alternative remedy by preferring an appeal, the Writ petition is disposed of with a direction to the petitioner to prefer a revision, if at all the appeal is disposed of, 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)

AMANDEEP/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	22.08.2025
Transmission Date	

