

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11736 of 2019

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Raghuni Sah Son of Late Mukha Sah R/o Village-Puraina, P.S. Manjharh,
Distt. Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar through Principle Secretary, Food and Civil Supplies Department, Government of Bihar, Patna
2. The Collector Gopalganj, Distt-Gopalganj
3. The Sub Divisional Officer Gopalganj, Distt-Gopalganj
4. The District Supply Officer Gopalganj
5. The Block Supply Officer Manjharh, Block District-Gopalganj

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Akhilesh 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 : 28-03-2025

1. The writ petition is filed for the quashing of the order dated 15.09.2017, passed by the Collector, Gopalganj, in Supply Appeal Case No. 9/2017 (Annexure-6), by which he dismissed the appeal filed by the petitioner against the order dated 19.06.2017 (Annexure-4), whereby the respondent Sub-Divisional Officer, Gopalganj, cancelled the petitioner's PDS license.

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. 9 of 2017 dated 15.09.2017.

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 of filing a revision, the writ petition is disposed of with a direction to the petitioner to avail of this alternative remedy 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.

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
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