

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15269 of 2018

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Saroj Devi Wife of Late Ram Suchit Singh, resident of Village- Bakan, P.S.
Fesar, District- Aurangabad.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Secretary, Food and Civil Supplies Department, Govt. of Bihar, Patna.
3. The District Magistrate, Aurangabad.
4. The Special Executive Officer, Department of Food and Civil Supply,
Government of Bihar, Patna.
5. The Sub-Divisional Officer, Aurangabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Adv.
For the Respondent/s : Mr.Arvind Ujjwal-Sc4

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 17-07-2025

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

*i) Issuance of a writ in the
nature of writ of certiorari to quash/
set aside the order dated -18.06.2013
contained as in Annexure -8 passed
by the learned S.D.O., Aurangabad in
Supply Misc. Case No. 74/2013,
whereby and whereunder the learned
S.D.O. has rejected the application of
the husband of the petitioner and
accordingly he has cancelled the
P.D.S. License No. 06/AA/90 with*



immediate effect without considering the show-cause submitted by the late husband of the petitioner.

(ii) Issuance of a writ again in the nature of writ of certiorari to quash/ set aside the appellate order dated 05.09.2014 learned District by the Magistrate-cum-Collector, Aurangabad as contained in Annexure -9 passed in P.D.S. Appeal Case No. 124/2013 without considering the issue raised by the petitioner in the Memo. of Appeal.

(iii) Issuance of a writ in the nature of writ of mandamus, whereby and whereunder the respondent authority are issued a command to restore the cancelled P.D.S. license in favour of the petitioner who happens to be the wife of late Ram Suchit Singh, who had been issue the said license.

(iv) And/or any other writ/writs, order/ orders, direction/ directions to grant relief / reliefs to which the petitioner may be entitled to in the facts and circumstances 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. Admittedly, the present case is filed against the order of District Magistrate-Cum-Collector in PDS Appeal Case No. 124 of 2013 dated 05.09.2014.

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.

(G. Anupama Chakravarthy, J)

AMANDEEP/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	18.07.2025
Transmission Date	

