

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1738 of 2018

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Shri Krishna Ram @ Krishna Ram Son of Jagdish Ram, R/o Village- Bikram
English, P.S.- Itadhi, District- Buxar.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Secretary, Department of Food and Consumer Protection, Govt. of Bihar, Old Secretariat, Patna-
3. The District Magistrate, Buxar.
4. The Sub-Divisional Officer, Buxar.
5. The District Supply Officer, Buxar.
6. The Assistant District Supply Officer, Divisional, Buxar.
7. The Supply Inspector, Ithadi, District- Buxar.
8. The Block Supply Officer, Ithadi, District- Buxar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rabindra Kumar Choubey, 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 : 24-06-2025

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

“....for setting aside the order dated 24.03.2017 (Annexure-2) passed by the D.M., Buxar (respondent No.3) in Appeal Case No. 65/05, (Supply) Krishna Ram Vs. State of Bihar arising out of order passed by the then SDO, Buxar respondent no. 4, on 06.05.2015 (Annexure- 1/2), communicated through Memo no. 338 dated 07.05.2015 to the



petitioner and others concerned authorities of the Buxar District and the petitioner is making further prayer for setting aside the order (Annexure- 1/2) of respondent no. 4 and reinstating the license of dealership (PDS License) as cancelled by the licensing authority, the then SDO, Buxar (respondent no. 4) of the petitioner and to grant any consequential.”

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 Appeal Case No. 65/2015 dated 24.03.2017.

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 concerned 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	24.06.2025
Transmission Date	

