

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13603 of 2019

Shiv Jee Paswan S/o Late Mahesri Ram, Resident of Village- Mishripur, P.S.
and P.O.- Sasaram, District- Rohtas, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Food and Civil Supply Govt. of Bihar, Patna.
2. The Divisional Commissioner, Patna Division, Patna.
3. The Collector cum Appellate Authority, Rohtas Division, Rohtas (Sasaram).
4. The Sub-Divisional Officer, Sasaram, Rohtas.
5. The District Supply Officer, Sasaram, Rohtas.
6. The Block Supply Inspector, Sasaram, Rohtas.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Virendra Prasad, Adv.
For the Respondent/s : Mr. S. Raza Ahmad (AAG-5)

CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 07-10-2025

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

“That this application for issuance of a writ nature of Certiorari for quashing the order dated 22.05.2018 passed by which the appellate authority i.e. respondent No. 4 i.e. annexures 3 and 4 and also quashing the Memo No. 289



dated 10.12.2015 i.e. annexure-4 issued by the Sub-Divisional Officer, Sasaram, the licence of the petitioner was cancelled without providing the Principal of Natural Justice and also ignoring the several judicial order passed by this Hon'ble Court and be further issue a writ of Mandamus directing/commanding the respondent to restore the shop to 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. 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 three 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	14.10.2025
Transmission Date	

