

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14602 of 2019

=====

Vandna Devi Wife of Akhilesh Sahani @ Akhileshwar Mukhiya @
Akhileshwar Prasad Resident of Village- Bhebhara, Panchayat- Nijarpur, P.S.-
Kochadhaman, Block- Kochadhaman, District- Kishanganj.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department Food and Consumer, Bihar, Patna.
2. The Principal Secretary Department of Food and Consumer, Bihar, Patna.
3. The District Magistrate- cum- Collector Kishanganj.
4. The District Supply Officer Kishanganj.
5. The Sub- Divisional Officer Kishanganj.
6. The Block Supply Officer Kochadhaman.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Raj Kumar, Adv.
For the Respondent/s : Mr.Arvind Ujjwal (Sc4)

=====

CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 15-10-2025

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

I. For quashing of order dated 20.06.2017 passed by the Court of District Magistrate, Kishanganj (respondent No. 3) in Supply Appeal No. 09 of 2015 as well as order dated 10.12.2014 passed by the Sub-Divisional Officer, Kishangaj (respondent No. 5) through which license of PDS shop of petitioner bearing Reg. No.



02KD/2011 has been cancelled.

II. For further direction upon the respondent authorities to renew the license of PDS shop of petition bearing Reg. No. 02KD/2011.

III. Also for any other relief/reliefs for which the petitioner is entitled in the eye of law.

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. 09 of 2015 dated 20.06.2017.

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 before the Divisional Commissioner, within two



months from the date of receipt of this order. 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	15.10.2025.
Transmission Date	

