

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16269 of 2017

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Hoshila Ram Son of Sukhdeo Ram, Resident of village- Murali Bharahawa,
Police Station- Gaunaha, District- West Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Department of Food and Civil Supply, Government of Bihar, Patna
2. The Collector, West Champaran, Bettiah.
3. The District Supply Officer, West Champaran, Bettiah.
4. The Assistant District Supply Officer, West Champaran, Bettiah.
5. The Sub Divisional Officer, Narkatiaganj, West Champaran.
6. The Executive Magistrate, Narkatiaganj.
7. The Block Supply Officer, Gaunaha Block, District West Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Karandeep Kumar, Advocate
For the Respondent/s : Mr. Arbind Ujjawal – SC 4

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY
ORAL JUDGMENT
Date : 02-05-2025

1. The petitioner has filed the Writ application for the following reliefs:

“(i) For quashing the order dated 24.09.2011, as contained in memo no. 561 passed by the Sub Divisional Officer, Narkatiaganj, West Champaran (Respondent No. 5) in Case No. 01/2011-12, whereby and where under the license of petitioner bearing License No. 02 of 2009, which was allotted under the Public



Distribution System in Panchayat, Bharahawa Block Gaunaha has been cancelled with the immediate effect.

(ii) Also for quashing the order dated 12.09.2017 / 25.09.2017 passed by the Collector, District West Champaran, Bettiah (respondent no. 2) in Case No. C.R.M. No. 11 of 2011 12, whereby and where under the respondent no. 2 has affirmed the order dated 24.09.2011 passed by the respondent no. 5, cancelling the license of P.D.S. shop of the petitioner with immediate effect.”

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 C.R.M. No. 11 of 2011-12 dated 12.09.2017 / 25.09.2017.

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 shall 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.

7. Interlocutory Application(s), if any, shall stand disposed of.

(G. Anupama Chakravarthy, J)

Spd/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	03.05.2025
Transmission Date	

