

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12240 of 2025

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Lalbabu Prasad S/o Ram Kumar Prasad Resident of Village- Maulaniya, P.S.-
Sirisiya, District-West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection Department, Government of Bihar, Patna.
2. The Principal Secretary, Food and Consumer Protection Department, Government of Bihar, Patna.
3. The Divisional Commissioner, Tirhut Division, Muzaffarpur.
4. The Collector-Cum-District Magistrate, West Champaran at Bettiah.
5. The Additional Collector-Cum-Additional District Magistrate, West Champaran at Bettiah.
6. The District Supply Officer, West Champaran at Bettiah.
7. The Licensing Authority-Cum-Sub Divisional Officer, Bettiah Sadar, Bettiah, District-West Champaran.
8. The Block Supply Officer, Chanpatia Block, Chanpatia, Dist.-West Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sitesh Kashyap, Advocate
For the State	:	Mr. Ajay Behari Sinha, G.A.-08
		Mr. Neeraj Raj, A.C. to G.A.-08

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 18-11-2025 Heard learned counsel for the parties concerned.

2. The petitioner has filed the present writ application being aggrieved by the order dated 07.11.2022, passed by the Licensing Authority-cum-SDO, Bettiah by which the Public Distribution System (PDS) license of the petitioner having License No. 113 of 2016 has been cancelled.

3. Learned counsel for the petitioner submits that the



petitioner has challenged the order passed by the Licensing Authority before the Appellate Authority i.e. District Magistrate, Bettiah in Appeal No. 1654 of 2022-23 which has been decided by the Additional Collector, West Champaran, Bettiah upholding the order passed by the Licensing Authority vide order dated 29.04.2025. The submission is that Additional Collector is not the Competent Authority to decide the appeal as per the statute.

4. Learned counsel for the State submits that under Rule 32 (vi) of the Bihar Targeted Public Distribution System (Control) Order, 2016 any person aggrieved by the order passed by the Appellate Authority may file revision before concerned Divisional Commissioner. Accordingly, the petitioner may be directed to file revision before the Divisional Commissioner.

5. Considering the nature of dispute and the fact that petitioner has not availed the alternative remedy of revision before the Divisional Commissioner, accordingly, the present writ application is disposed with liberty to the petitioner to file revision before the Divisional Commissioner, Tirhut Division within a period of 30 days.

6. If such a revision is filed along with a condonation of delay petition, the Divisional Commissioner shall be obliged to decide the same on its merit in accordance with law within a



reasonable time frame preferably within a period of three months from the date of filing of revision.

7. Accordingly, the present writ application stands disposed of with the aforesaid direction.

(Anil Kumar Sinha, J)

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