

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17084 of 2019

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Md. Jabbar Son of Md. Suleman Resident of Mohalla- Bhirkhi Mission Road,
Police Station- Madhepura, District- Madhepura.

... .. Petitioner/s

Versus

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

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Uday Chand Prasad Pooja Prasad, Manoj Kumar, Advocates
For the Respondent/s	:	Mr. Arvind Ujjawal (SC 4)

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY
ORAL JUDGMENT
Date : 07-04-2025

1. The writ petition is filed for quashing of the order dated 15.03.2019, passed by the Collector-cum-District Magistrate, Madhepura, in Misc. Case No. 127 of 2018, whereby the petitioner's application for granting a licence for a PDS dealership was rejected. Further, the petitioner seeks a direction to the respondents to select the petitioner for the PDS dealership and issue the licence for operating a PDS shop at Ward No. 24, Bhirkhi Mohalla, Police Station, and District



Madhepura.".

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 (vi) read as follows:

“32. (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 Misc. Case No. 127 of 2018 dated 15.03.2019.

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 to avail of this alternative remedy 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.

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	08.04.2025
Transmission Date	

