

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8226 of 2018

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Nathun Paswan son of Late Karu Paswan, Resident of Village- Ghosrawan,
P.S.- Silao, District- Nalanda.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary Food & Supply
Department, Bihar, Patna
2. The Commissioner, Patna Division, Patna.
3. The District Collector, Nalanda at Bihar Sharif.
4. The Assistant District Supply Officer, Rajgir, Nalanda.
5. The Sub Divisional Officer, Rajgir, Nalanda.
6. The Block Supply Officer, Silao, Nalanda.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Prasad, Advocate
For the Respondent/s : Mr. Arvind Ujjwal- SC 4

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 26-06-2025

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

“ I. For quashing of the order
dated 10.02.18 passed by the District
Magistrate, Nalanda in Supply case no
05/17 where by and where under appeal
against the cancellation of license under
PDS bearing license no 11/12 has been
rejected without considering defence of
the petitioner.

II. For quashing of the order
dated 08.04.16 passed by the Sub



Divisional officer, Rajgir where by license of the petitioner bearing license no 11/12 has been cancelled.

III. For direction the respondents to revive /restore the license of the petitioner and release food grains for distribution amongst card holder and other order/direction in the facts and circumstances of the case in the interest of justice.”

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 Case No. 05 of 2017 dated 10.02.2018.

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 within four weeks from the date of receipt of this order before the concerned Divisional Commissioner. The delay in filing the revision shall be condoned by the Divisional Commissioner, and



the authority shall dispose of the revision petition within three months from the date of filing of the same.

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	27.06.2025
Transmission Date	

