

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22080 of 2018

Sanjay Thakur @ Sanjay Kumar Thakur Son of Late Pashupatinath Takur,
Resident of -Ward No.-7 Near Bharat Gas Agency, Makkhachak, P.S.-
Bakhari, District-Begusarai Bihar.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Collector cum District Magistrate, Begusarai
2. The Sub-Divisional Officer, Bakhri, District-Begusarai.
3. The Block Supply Officer, Bakhri, District-Begusarai.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Surinder Kumar, Adv.
For the Respondent/s : Mr.S.Raza Ahmad -AAG5

CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 29-08-2025

1. The Writ petition is filed for the following

reliefs:

“That the present writ application is being filed for issuance of a writ in the nature of certiorari, for quashing the order dated 19.07.2012 as contained in Annexure-5 passed by Respondent no. 2 by which the license of the petitioner issued under the provisions of public Distribution System has been cancelled and also for quashing the order dated 17.05.2016 passed by learned District Magistrate (Respondent No. 1) Begusarai by which he has affirmed the order dated 19.07.2012 and refused to interfere in the matter and also for directions to the respondent authorities not to interfere with the business of the petitioner and to allow the petitioner to carry out his business.”



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. 106 of 2012 dated 13.08.2012.

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 Divisional Commissioner. 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	30.08.2025
Transmission Date	

