

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21436 of 2019

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Navin Kumar Das, Son of Rameshwar Prasad Das, Resident of Village-Khairkhan, P.S.-Forbesganj, District-Araria.

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary, Department of Food and Civil Supply, Bihar, Patna.
2. The Secretary, Department of Food and Civil Supply, Bihar, Patna.
3. The Collector, Araria.
4. The Block Supply Officer, Forbesganj, Araria.
5. The Sub-Divisional Officer, Forbesganj, Araria.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjeev Ranjan, Advocate
For the Respondent/s	:	Mr. S. Raza Ahmad (AAG 5)
		Mr. Alok Ranjan, AC to AAG 5

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY
ORAL JUDGMENT
Date : 25-04-2025

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

a. For quashing of the order dated 20.06.19 passed in Appeal Case No. 08/2019 passed by the Collector Araria whereby the appeal filed by the petitioner for setting aside of the order dated 16.04.2012 passed by S.D.O, Forbesganj has been dismissed.

b. For quashing the order dated 16.04.2012 passed by the S.D.O, Forbesganj whereby the P.D.S license no. 04F/95 for fair price shop has been



cancelled.

c. The petitioner in the facts and circumstances of the case prays for grant of any other relief (s) which he is entitled to in the facts and circumstances of the case.”

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. 08 of 2019 dated 20.06.2019.

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 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 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	

