

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14962 of 2018

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Raju Paswan Son of Late Kapil Paswan, resident of Village Pali P.S.- Konch District- Gaya.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary Department of Food and Consumer Protection Govt. of Bihar, Patna
2. The District Magistrate, Gaya.
3. The Sub Divisional Officer, Tekari, Gaya.
4. The Block Supply Officer, Konch, Gaya.
5. The Block Development Officer, Konch, Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Nand Kishore Prasad Sinha, Advocate
For the Respondent/s : Mr.Arvind Ujjwal- SC4

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 10-07-2025

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

“ for quashing the whole proceeding the District Magistrate Cum Collector Gaya as contained in Annexure 2 and further for quashing the order dated 14-10-2017 passed of the licencing Authority cum Sub Divisional Officer Tekari as contained in annexure 01 where by the PDS licence of the petitioner being No. 1/92 granted to the petitioner has been cancelled without supplying the inquiry report and the petitioner was never



confronted with the same with an opportunity heard or adducing regard and in that the impugned action of being evidence in that view of the matter of the Respondent is not sustainable in law and thus vitiated.”

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 No. 52 of 2017 .

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	10.07.2025
Transmission Date	

