

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18329 of 2018

=====

Srinarayan Prasad Singh son of Late Indrasan Singh, Licensee and Proprietor
M/s Ranjan Jyoti Service, Village- Malahi Thakraha, P.S. Thakraha, District-
West Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Divisional Commissioner, Tirhut Division, Muzaffarpur.
3. The District Magistrate, West Champaran, Bettiah.
4. The Sub Divisional Officer, Bagaha, West Champaran, Bettiah.
5. The Block Supply Officer, Thakraha, West Champaran, Bettiah.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Saket Tiwary
For the Respondent/s : Mr.S. Raza Ahmad- AAG-5

=====

CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 30-07-2025

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

“(i) For issuance of writ/direction for setting aside the order dated 27.02.2018 passed by the Divisional Commissioner, Tirhut Division, Muzaffarpur in Licence appeal Case No 107/2017 by which the Learned Divisional Commissioner upheld the order of cancellation of the wholesale License of the petitioner made by the Collector, West Champaran Bettiah, being License No. 1/1990 for wholesale of Kerosene Oil granted to the petitioner



under the Bihar Trade Articles (Unification and Control) Order 1984 in the name of Ranjan's Jyoti Service, at Malahi, Thakraha, West Champaran. Further a direction to restore the licence in the name of the petitioner.”

2. At this juncture, the Learned counsel for the respondents contended that Section 32(iii) of the Bihar Targeted Public Distribution System (Control) Order, 2016 provides for the provision of appeal and Section 32(vi) of the Bihar Targeted Public Distribution System (Control) Order, 2016 provides for the provision of revision. Section 32(iii) 32(v) and 32(vi) read as follows:

32 (iii). Any person aggrieved by an order of the licensing authority denying the issue or renewal of the license to the fair price shop owner or cancellation of the license may appeal to the District Officer within thirty days of the date of receipt of the order and the District Magistrate shall, as far as



practicable, dispose the appeal within a period of sixty days.

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, from the reliefs prayed for in the writ petition, it is evident that the petitioner has an alternative remedy under the provisions of Bihar



Targeted Public Distribution System (Control) Order, 2016.

4. The Learned counsel for the petitioner contended that he intends to file a representation before the concerned authority, but the limitation period for filing the same has lapsed. He prayed for a direction to the concerned authority to entertain the same in accordance with Section 5 of the Limitation Act.

5. Taking into consideration that the petitioner has an alternative remedy for filing representation, the writ petition is disposed of with a direction to the petitioner to file representation within one month from the date of receipt of this order before the concerned authority. The delay in filing the representation shall be condoned by the authority concerned, and the authority shall dispose of the same within three months from the date of filing of the same.

6. With the above said observations, the Writ petition shall stand disposed off.



7. Interlocutory Application(s), if any, shall stand disposed off.

(G. Anupama Chakravarthy, J)

vinita/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	30.07.2025
Transmission Date	

