

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20362 of 2018

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Lalan Shah @ Lalan Gond S/o Late Ram Nagina Gond, R/o Ward No. 08,
Babhni, Pasahra, P.S. and Dist- Buxar, Presently R/o Gram Panchayat Boksa,
P.S. and Dist.- Buxar.

... .. Petitioner/s

Versus

1. The State Of Bihar through Principal Secretary, Food and Consumer Protection Deptt. Govt. of Bihar
2. The District Magistrate, Buxar.
3. The Block Development Officer, Buxar.
4. The Chairman, District Selection Committee, Food and Supply Department, Govt. of Bihar, Buxar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ajit Kumar, Adv.
For the Respondent/s : Mr.Arvind Ujjwal- Sc4

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 11-08-2025

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

i. For quashing of the order dated 06/12/2017 in Appeal Case No. 234/2014 issued by The District Magistrate, Buxar (Respondent No. 2) whereby and where-under the Acknowledgment No. 30 dated 08/02/2013 issued by The Block Development Officer, Buxar (Respondent No. 3) has been upheld for cancellation of license bearing License No. 926/1986



of the petitioner.

ii. Praying for granting stay order with immediate effect on the same order dated 06/12/2013 in the interest of principle of natural justice.

iii. For issuance direction commanding the respondents to resume the suspended license bearing License No. 926/1986 of the petitioner.

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 Appeal Case No. 234/2014 dated 06.12.2017.

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 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	12.08.2025
Transmission Date	

