

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21436 of 2018

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Jyoti Devi @ Jyoti Kumari wife of Ajay Choubey, Resident of Village Salempur, Prakhand Rampur, P.S. Karachat, District Kaimur at Bhabua.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The State of Bihar through the Secretary of Food and Supply Department, Bihar, Patna.
3. The Special Secretary, Food and Consumer Protection Department, Bihar at Patna.
4. The Deputy Director of Food, Patna Division, Patna.
5. The District Magistrate cum President of District Selection Committee, Kaimur at Bhabua.
6. The Additional Collector, Kaimur at Bhabua.
7. The Deputy Development Commissioner, Kaimur at Bhabua.
8. The Assistant District Supply Officer, Bhabua, District- Kaimur at Bhabua.
9. The Sub Divisional Officer, Bhabua, District- Kaimur at Bhabua.
10. The Block Development Officer, Rampur, Block- Rampur, District- Kaimur at Bhabua.
11. Sanjay Kumar Ram son of Nathal Ram, Resident of Village Lewabandh, Panchayat Amaon, P.S. Rampur, P.S.- Karamchat, District- Kaimur at Bhabua.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rajani Kant Pandey, Adv.
For the Respondent/s	:	Mr. S. Raza Ahmad- AAG-5
		Mr. Shailendra Kr. Singh, Adv.
		Mr. Utkarsh Utpal, Adv.

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 12-08-2025

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

For issuance of an appropriate writ/order/direction



including a writ in the nature of certiorari to quash the selection for issuance a licence for PDS, Dealer to the Sanjay Kumar Ram (Respondent No. 11) Serial No. 44 belongs to the Amaon Panchayat in Rampur Prakhand under Bhabua Sub-Division through the letter No. 692 dated 19.09.2018 issued by the respondent No. 5 (Selection committee presiding by the District Magistrarte, Kaimur at Bhabhua) and for issuance a direction to the respondents for issue a license for PDS Dealership of Amaon Panchyat in favour of the petitioner in place of respondent No. 11 under unreserved category and/or pass other and further order which the petitioner is entitled to.

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. 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.

4. 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.

5. With the above said observation, the Writ petition is disposed of.

6. Interlocutory Application(s), if any, shall stand disposed of.

(G. Anupama Chakravarthy, J)

Manish/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	20.08.2025
Transmission Date	

