

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17278 of 2018

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Vikram Kumar Chaudhary S/o Wakil Chaudhary, R/o Ward 02, Near Ram Janki Temple, Phulwaria, P.S.-Phulwaria, District-Begusarai.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Director, Department of Food and Civil Supplies, Bihar, Patna.
3. The District Magistrate-cum-Chairman, District Selection Committee, Begusarai.
4. The Sub-Divisional Officer-Cum-Licensing Authority, Begusarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjay Sinha, Adv. Ms. Riya Bhawna, Adv. Ms. Niharika Rani, Adv.
For the Respondent/s	:	Mr. Arvind Ujjwal- SC-4

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 22-07-2025

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

“(i). For quashing of the order dated 10.08.2017 passed in PDS Appeal No. 05/2017 passed by the respondent No. 3 which the Learned District Magistrate dismissed the appeal preferred against the cancellation order by the petitioner.

(ii). Grant of PDS Licence to the petitioner on compassionate ground as per the rules.



(iii). Any other relief or reliefs for which the petitioner is found 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. Admittedly, the present case is filed against the order of District Magistrate in PDS Appeal No. 05 of 2017 dated 10.08.2017.

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)

Manish/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	23.074.2025
Transmission Date	

