

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20109 of 2019

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Vijay Kumar Ray Son of Late Chhathulal Ray, Resident of Village-
Bardahiyan, Tole Piparpati, Police Station-Marhaura, District-Saran.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. The Divisional Commissioner, Saran at Chapra.
3. The District Magistrate, Saran at Chapra.
4. The District Supply Officer, Saran at Chapra.
5. The Sub-Divisional Officer (Supply Division), Marhaura, Saran at Chapra.
6. The Block Supply Officer, Marhaura, Saran at Chapra.
7. The Block Supply Officer, Masrakh, Saran at Chapra.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Umesh Kumar Mishra, Adv.
For the Respondent/s : Mr.Arvind Ujjwal (SC4)

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 22-06-2026

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

*I. For issuance of an
appropriate writ in the nature of
certiorari for quashing the momo
no. 2183 dated 18.12.2018 issued
under the signature of the Sub
Divisional Officer, Marhaura,
Saran passed in Case No. 06/18-
19 (Public Distribution System
Dealer Shri Vijay Kumar Rai,
License No. 116/2016 Panchayat-
Bardahiya VS. Government) by
which, the license of the
petitioner under Public*



Distribution System bearing license No. 116/2016 has been cancelled, without appreciating the facts and circumstances as well as the show-cause reply filed by the petitioner.

II. For issuance of an appropriate writ in the nature of mandamus for commanding and directing the respondent authorities concerned to restore the license of the petitioner bearing license no. 116/2016 granted to him for distribution of foodgrains and Kerosene Oil to the consumers under Public Distribution System, so that the petitioner might be able to distribute the essential commodities to the ration card holders, without any further delay.

III. For issuance of any other writ/writs, order/orders, direction/directions for which the petitioner would be entitled in the facts and circumstances of the present case.

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. The Learned counsel for the petitioner contended that he has already filed an appeal bearing P.D.S. Appeal No. 03 of 2019 which is



pending before the District Magistrate.

5. Taking into consideration that P.D.S. Appeal No. 03 of 2019 is pending before the District Magistrate, the Writ petition stands disposed of with a direction to the concerned authority to dispose of the appeal of the petitioner, if any, within a period of three months from the date of receipt/production of a copy of this order.

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	
Transmission Date	

