

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20296 of 2019

Primary Agriculture Credit Co operative Society (PACS) Parasmani,
Panchayat- Parasmani, P.s.- Sarsi, district- Purnea through its Chairman-cum-
Manager, Vijay Shankar Bhagat, aged about 57 years (Male), S/o Late
Sukhdeo Bhagat, Resident of Ward No. 8, Village- Parasmani, P.s.- Sarsi,
Distt.- Purnea

... .. Petitioner

Versus

1. The Secretary Food and Consumer Protection Department Govt. of Bihar,
Patna
2. The Collector Purnea
3. The Sub-Divisional Officer Dhamdaha, Distt.- Purnea
4. The Additional District Supply Officer Dhamdaha, Distt.- Purnea

... .. Respondents

Appearance :

For the Petitioner	:	Mr. Shailendra Kumar Singh, Advocate
	:	Mr. Dhananjay Nath Tiwari, Advocate
For the Respondents	:	Mr. Arvind Ujjwal, SC4

CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY
ORAL JUDGMENT

Date : 24-06-2026

1. The Writ petition is filed for the following

reliefs:

*“For quashing the order
contained in memo no. 320 dated
07.08.2019 passed by the learned
Sub Divisional Officer, Dhamdaha
by which he was pleased to cancel
the PDS license of the petitioner
being license no. 66/2016 and
further be pleased to restore the
license and supply 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. Section 32(iii) 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.”

3. Admittedly, from the reliefs prayed for in the Writ petition, it is evident that the petitioner has an alternative remedy of appeal available under Section 32(iii) of the Bihar Targeted Public Distribution System (Control) Order, 2016.

4. The Learned counsel for the petitioner contended that she intends to file an appeal before the concerned District Magistrate, but the limitation period for filing the appeal has lapsed. He prayed for a direction to the concerned District Magistrate to entertain the appeal in accordance with Section 5 of the Limitation Act.

5. Taking into consideration that the petitioner has an alternative remedy for filing an



appeal, the Writ petition is disposed of with a direction to the petitioner to file an appeal petition within four weeks from the date of receipt of this order before the concerned District Magistrate. The delay in filing the appeal shall be condoned by the District Magistrate, and the authority shall dispose of the appeal within three months from the date of filing of the appeal.

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)

Shanu/-

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

