

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21272 of 2019

Vijay Kumar, S/o Ramchandra Prasad, Resident of Village- Ward No. 16, Beldaur, P.O. and P.S. Beldour, District- Khagaria.

... .. PetitioneR

Versus

1. The State of Bihar through Principal Secretary, Food and Consumer Protection Department, Govt. of Bihar, Patna.
2. The Additional Secretary, Food and Consumer Protection Department, Govt. of Bihar, Patna.
3. The Joint Secretary, Food and Consumer Protection Department, Govt. of Bihar, Patna.
4. The District Collector cum District Magistrate, Khagaria.
5. The District Officer cum Chairman District Selection Committee, Khagaria.
6. The District Supply Officer, Khagaria.
7. The Sub Divisional Officer, Gogri Jamalpur, District- Khagaria.
8. The Block Supply Officer, Beldour, District- Khagaria.
9. The Block Development Officer Beldour Block, District- Khagaria.
10. Priya Bharti, W/o Gulsan Yadav, Resident of Village- Jharebabas, P.S.- Beldaur, District- Khagaria.
11. Umesh Pandit, S/o Bindeswari Pandit, Resident of Village- Beldour, P.S., P.O./Block- Beldour, District- Khagaria.

... .. Respondents

Appearance :

For the Petitioner	:	Mr. Nafisuzzoha, Advocate
For the Respondents	:	Mr. S.Raza Ahmad, AAG5

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

Date : 23-06-2026

1. The Writ petition is filed for the

following reliefs:

“(I). For issuance of an appropriate writ, order or direction for quashing the arbitrary and discriminatory selection for allotment of the Fair Price Shops (P.D.S dealership) of Beldaur of Khagaria District as the same



relates to the petitioners.

(II). For issuance of an appropriate writ, order of direction for allotment of the P.D.S. dealership in favour of petitioner who is the best candidates amongst the lot.

(III). For issuance of an appropriate writ, order or direction for grant of ad-interim stay of the operation of arbitrary selection for allotment of P.D.S. dealer and restocining the respondent authority in grant of the fair price shop during the pendency of this writ application.

(IV). For issuance of an appropriate writ, order or direction for grant of any other appropriate reliefs for which petitioner may be deemed entitled in the facts and circumstances of the case."

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)

Shanu/-

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

