

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20923 of 2019

=====

Dayanand Prasad State General Secretary Fair Price Dealers Association,
Registration No. 2525 of 1981, Head Office, Bhikhana Pahari Saidpur Road,
Patna-4

... .. Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Old Secretariat, Patna-800001.
2. The Principal Secretary, Food and Consumer Protection Department, Government of Bihar, Old Secretariat, Patna-800001.
3. The Secretary, Labour and Employment New Secretariat, Patna-1.
4. The District Magistrate, Patna.
5. The District Supply Officer, Patna.
6. Md. Aslam, At Chamdoria Kila Road, C/o Devendra Singh, Patna City, Patna-8.
7. Mithilesh Kumar Singh, Chamdoria, Kila Road, Patna City, Patna-8.

... .. Respondent

=====

Appearance :

For the Petitioner : Mr. Vijoy Nandan Sahay, Advocate
For the Respondents : Mr. Arvind Ujjwal, SC4

=====

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

Date : 22-06-2026

1. The writ petition is filed for the following

reliefs:

*“That this is an application for
issuance of appropriate writ, order or
direction on the respondents 6 and 7 not
to use the name of Fair Price Dealers
Association, Registration No.2525/81
changing the office address at Chamdoria,
Kila Road, Patna City whereas the office
address of the Fair Price Dealers
Association Registration No.2525/81 is*



Bhikhana Pahari, Patna-4 and to the Respondents 1 to 4 to recognize as genuine Fair Price Dealers Association of Registration No.2525/81 and prohibit the Respondents No.6 & 7 to use the Registration No.2525/81 in their Correspondences, in view of the order of this Hon'ble Court passed in C.W.J.C. No.16359 of 2015 by Md. Aslam, Respondent No.6 and by order dated 29.10.2018 it was held that the other petitioners are no way attached to the Fair Price Dealers Association Registration No.2525/81 nor they are branches of the said Association."

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	

