

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.20453 of 2019**

Binod Kumar son of Late Ramchandra Prasad, Resident of Danapur Nriyal  
Ghat Ward No.- 28, H.No. 55, Police Station- Danapur, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Department of Food and Consumers Protection, Government of Bihar, Patna.
2. The District Magistrate, Patna.
3. The Sub-Divisional Officer, Danapur, District- Patna.
4. The Block Supply Officer, Danapur, District- Patna.

... .. Respondent/s

**Appearance :**

For the Petitioner/s : Mr.Binay Kumar, Adv.

For the Respondent/s : 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/writs, order/orders and direction/directions to quash the order dated 04.02.2019 passed in E.W. Appeal Case No. 28/2018-19 whereby the Ld District Collector, Patna has affirmed the suspension order dated 23.08.2011 contained in Memo No. 813 of the sub-Divisional Officer cum licensing Authority, Danapur by which the PDS license No. 87/08 of the petitioner had been suspended without his jurisdiction and for direction to start the allocation to the Fair Price Shop of the petitioner after declaring the suspension order null and void*



*and/or pass such other order or orders as your Lordships may deem fit and proper.*

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 E.C. Appeal Case No. 28/2018-19 dated 19.09.2018.

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 two 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)

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