

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19995 of 2018

Indrabhushan Singh Son of late Ram Badan Singh Resident of Village- Naula,
Block- Birpur, P.S. Bhagwanpur, District- Begusarai.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The District Magistrate, Begusarai.
3. The District Supply Officer, Begusarai.
4. The Sub Divisional Officer.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Gautam Kumar Kejriwal
For the Respondent/s : Mr.S.Raza Ahmad -Aag5

CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 13-07-2026

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

That the present writ application has been filed for a direction upon the respondents to appoint the petitioner as PDS dealer under public distribution system in light of the application dated 07.08.2017 submitted by the petitioner for Panchayat Naula, Block-Birpur, in the district of Begusarai irrespective of the age of the petitioner as there is no age bar fixed either in the advertisement bearing No. 01/2017-18 issued by the respondent District Magistrate, Begusarai nor in the provisions of Bihar Targeted Public Distribution System Order (Control), 2016 and for grant of any other relief or



reliefs to which the petitioner may be found entitled in the facts and circumstances of this 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. Admittedly, from the reliefs prayed for in the Writ petition, it is evident that the petitioner has an alternative remedy under the provisions of Bihar Targeted Public Distribution System (Control) Order, 2016.

4. The remedy available under the Act is to prefer an appeal before the District Magistrate. As the District Magistrate is the head of the Selection Committee, he cannot review his own orders in an appeal. Therefore, the petitioner is directed to file a proper application before the Divisional Commissioner.

5. The Learned counsel for the petitioner contended that he intends to file a proper application before the concerned authority, but the limitation period for filing the same has lapsed. He prayed for a direction to the concerned authority to entertain the same in accordance with Section 5 of the Limitation Act.

6. Taking into consideration that the



petitioner has an alternative remedy for filing application, the Writ petition is disposed of with a direction to the petitioner to file proper application within one month from the date of receipt of this order before the concerned authority. The delay in filing the complaint/application shall be condoned by the authority concerned, and the authority shall dispose of the same within three months from the date of filing of the same.

7. With the above said observation, the Writ petition is disposed of.

8. Interlocutory Application(s), if any, shall stand disposed of.

(G. Anupama Chakravarthy, J)

AMANDEEP/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	13.07.2026
Transmission Date	

