



2025:PATHC:97461

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15564 of 2019

Lakshman Sharma @ Lakshman Mandal Son of Late Bhaiyaram Sharma @ Bhaiyaram Mandal Resident of Kishanpur Ratwara, P.S.- Alamnagar (Ratwara), District- Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Collector-cum- District Magistrate, Madhepura.
2. The Collector-cum- District Magistrate Madhepura, District- Madhepura.
3. The Sub- Divisional Officer Udakishunganj, District- Madhepura.
4. The District Supply Officer Madhepura, District- Madhepura.
5. The Block Development Officer Alamnagar, District- Madhepura.
6. The Block Supply Officer Alamnagar, District- Madhepura.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Nishant Kumar Jha, Adv.
For the Respondent/s : Mr.S.Raza Ahmad (AAG5)

CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 15-10-2025

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

“For issuance of appropriate writ/s, direction/s, and order/s in the nature of ‘certiorari’ for setting aside the order dated 03.12.2016 passed by the Sub-Divisional Officer, Udakishunganj, Madhepura communicated vide Memo No. 4741-2 dated 03.12.2016 whereby the PDS License No. 136/2007 of the petitioner has been cancelled, for setting





aside the order dated 29.01.2019 passed by the Collector-Cum-District Magistrate, Madhepura in License Cancellation Appeal No. 35/2016 whereby and whereunder the appeal of the petitioner has been dismissed in arbitrary and erratic way and further for issuance of any other appropriate writ/s, direction/s, and order/s for which the petitioner is found entitled under 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. Admittedly, the present case is filed against the order of District Magistrate in Appeal Case No. 35/2016 dated 29.01.2019.

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 before the Divisional Commissioner, within two months from the date of receipt of this order. 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.

6. With the above said observations, the Writ petition is disposed of.

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

(G. Anupama Chakravarthy, J)

Amandeep/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	15.10.2025.
Transmission Date	

