



2025:PATHC:93800

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16249 of 2019

Raghunandan Paswan Son of Late Babu Lal Paswan Resident of Village-Sunder Kumhari, P.S.- Dobhi, District- Gaya.

... .. 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-cum-Collector, Gaya.
3. The Sub Divisional Officer, Sherghati, (Gaya).
4. The Block Supply Officer, Dobhi (Gaya).
5. The Block Development Officer, Dobhi (Gaya).
6. The Circle Officer, Dobhi (Gaya).

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh
For the Respondent/s : Mr.Arvind Ujjwal (SC-4)

CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 16-10-2025

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

“(i) For quashing of the order dated 19.08.17 passed in Licence Cancellation Case No.-13/2017 by the Sub-Divisional Officer, Sherghati (Gaya) whereby and whereunder the Licence No.-23/2016/432/2007 of the petitioner for his Public Distribution System for Village-Sundar Kumhari in Gram Panchayat-Kurmawa under Dobhi Block





in the District of Gaya has been cancelled.

(ii) For quashing of the order dated 31.01.2019 passed in Supply Appeal No.-45/17 by the Respondent No.-2, whereby and whereunder the said Supply Appeal No.-45/17 filed against the Enquiry Report dated 25.05.2017 of Respondent No.-4 and against the order dated 19.08.2017 passed in Licence Cancellation Case No.-13/2017 by Respondent No.-3 of the Petitioner has been dismissed.

(iii) Further to re-store the Licence No.-23/2016/432/2007 of Public Distribution System of the Petitioner with immediate effect, so that the supply to him be re-store.

And/Or for any other appropriate relief(s) to the Petitioner for which he may be found entitled to in the eye of law.”

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 dated 19.08.2017 passed by the Sub-Divisional Officer, Sherghati, Gaya and the order dated 31.01.2019 passed by the District Magistrate-cum-Collector, Gaya.

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 a period of two months 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.

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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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	17.10.2025
Transmission Date	

