



2025:PATHC:93862

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18107 of 2019

Shankar Sah S/o Late Buli Sah Resident of Village- Bataha Sugauli P.S.-
Sugauli, District- East Champaran, Motihari.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary, Food and Consumer Protection Department, Government of Bihar, Patna.
2. The District Magistrate Motihari, East Champaran.
3. The Sub- divisional Officer Sarda, Motihari, East Champaran.
4. The Supply Officer Sugauli.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar, Advocate
For the Respondent/s : Mr.Arvind Ujjawal (Sc4)

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

Date : 17-10-2025

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

“a. For issuance of an appropriate writ/writs, order/orders direct on for quashed order dated 02.09.2014 passed by S.D.O., Sadar, Motihari (Respondent No. 3) and for quashing of the appellant order dated 21.06.2019 passed by Respondent No. 2(District Magistrate, Motihari) Supply case No. 24/2014-2015 by which the appeal of petitioner have set aside and order of the S.D.O. Sadar, Motihari (Respondent No.





3) has been conformed, and petitioner is aggrieved by those order hence to be set aside.

b. For issuance of any other relief/reliefs as your lordships may deem fit and proper for the ends of justice.”

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 Supply Case No. 24 of 2014-2015 dated 21.06.2019.

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.

6. 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 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.





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)

amitkr/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	18.10.2025
Transmission Date	N/A

