

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 145 of 2016

- M/s Maa Ganga Mahila Swa- Sahayata Samuh Through Its President Sajan Bai, W/o Niranjana, Aged About 35 Years, R/o Village Silli, Setganga, Distt. Mungeli, (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Women And Child Welfare Development, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur, (Chhattisgarh)
2. The Collector, Mungeli, District Mungeli, (Chhattisgarh)
3. District Programme Officer, Women And Child Development Welfare Department, Mungeli, District Mungeli, (Chhattisgarh)
4. Officer I C D S Mungeli, District Mungeli, (Chhattisgarh)
5. Maa Santoshi Mahila Swa- Sahayata Samuh, Setganga, District Mungeli, (Chhattisgarh)

---- Respondent

For Petitioner	Mr. Himanshu Sinha, Advocate
For Respondent /State	Mr.Arun Sao, Dy. A.G.

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board By

25/1/2016

Heard finally with the consent of learned counsel for the parties.

(2) By the order impugned in this writ petition passed by the District Programme Officer, Women and Child Development, Mungeli on 29.12.2015, it has been directed that the operation of supply of ready to eat food materials in Sector Setganga has been handed over to

respondent No.5 – Maa Santoshi Mahila Swa-sahayata Samuh, Setganga.

(3) Mr. Arun Sao, learned Dy. A.G. for the State, would refer to clause 6 of the endorsement in the impugned order to submit that the petitioner was probably working as stop gap arrangement for supply of ready to eat food materials to Sector Setganga, therefore, the petitioner had no right to continue to remain a stop gap arrangement. He would further submit that even otherwise, the petitioner has an alternative remedy of preferring a representation before the District Collector.

(4) In view of availability of alternative remedy in terms of Circular dated 07.08.2012, the petitioner is directed to submit a representation before the Collector within a period of 15 days from today. In the event such representation is filed, the District Collector shall consider and decide the representation objectively by a reasoned order at the earliest preferably within a period of 06 weeks from the date of its presentation.

(5) It is made clear that this Court has not expressed any opinion on the merits of the case and the respondent authorities shall decide the matter, on its own merits, strictly in accordance with law, without treating any observation made in this order, as opinion on the merits of the case.

(6) With the aforesaid observations/directions, the writ petition stands finally disposed of.

Sd/-

Judge

(Prashant Kumar Mishra)