

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 2320 of 2016

- Mini Mata Mahila Swa Sahayata Samuh Village Kodwa, Block Palari, District Baloda Bazar-Bhatapara Through Its President Chameli Banjare W/o Kamta Parasad Banjare, Aged About 45 Years, R/o Village Kodwa, Police Station Palari, Block Palari, District Baloda Bazar-Bhatapara Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Women And Children Development Department Mantralaya Mahanadi Bhawan, New Raipur, Police Station Rakhi, District Raipur Chhattisgarh
2. The Director, (Women & Children Development, Department), Indrawati Bhawan, New Raipur, District Raipur Chhattisgarh
3. The Collector, (Women & Children Development, Department), Baloda Bazar Bhatapara Chhattisgarh
4. The Project Officer, Integrated Child Development, Project, Palari, Block Palari, District Baloda Bazar Bhatapara Chhattisgarh
5. District Programme Officer (Women & Children Development, Department), Baloda Bazar, District Baloda Bazar Bhatapara Chhattisgarh

---- Respondents

For Petitioner
For Respondent-State

Shri P. K. Patel, Advocate
Shri P. K. Bhaduri, GA

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

19/09/2016

1. The petitioner would assail the legality and validity of the order passed by the Collector (Women and Child Development Department), Baloda Bazar-Bhatapara on 23.12.2015, whereby the petitioner's agreement dated 14.12.2015 for supply of ready to eat food material to the Aaganbadi Centres of Sandi Sector in Palari Block of District Baloda Bazar-Bhatapara has been cancelled without giving any opportunity of hearing.
2. Since the petitioner was selected for supplying ready to eat food material in the subject sector in accordance with the State Government's instructions and the agreement executed between the Project Officer and the petitioner carries a clause where under such agreement can be cancelled on recommendation of a committee under the chairmanship of the District Collector, but the impugned order does not reflect that such committee was constituted or the committee afforded opportunity of hearing to the petitioner, the impugned order is set aside on violation of principles of natural justice.
3. Accordingly, the impugned order is set aside. The Collector shall now initiate fresh proceedings against the petitioner by issuing a show cause notice and thereafter the committee under the chairmanship of the Collector shall examine the matter and pass fresh order within a period of 4 months from today.

Sd/-

JUDGE
PRASHANT KUMAR MISHRA