

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 2433 of 2016**

- Jai Bhawani Sw Sahayta Samuh Sulesa Through Its President Smt Sangeeta Rajwade, W/o Tankeshwar Prasad Rajwade Aged About 42 Years R/o Village Sulesa, Block & Tahsil Bageecha, Distirct Jashpur Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Women & Child Development Department, Mantralaya Mahanadi Bhawan, New Raipur Chhattisgarh
2. The Director, Women And Child Development, Department, Mantralaya Indravati Bhawan, New Raipur Chhattisgarh
3. Collector, Jashpur, Distirct Jahspur Chhattisgarh
4. District Programme Officer, Women And Child Development, Department, Jashpur, Distirct Jashpur Chhattisgarh
5. Project Officer, Integrated Child Development Project, Sanna Block Bageecha, District Jashpur Chattisgarh
6. Purnima Sv Sahayta Samuh, Ghordega, Block Bageecha District Jashpur Chhattisgarh

---- Respondents

For Petitioner	:	Shri KN Nande, Advocate
For Respondents-State	:	Shri UNS Deo, GA for the State

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****03/10/2016**

1. The petitioner would assail the legality and validity of the order passed by the Project Officer, (Integrated Child Development Project), Jashpur on 24.08.2016 whereby the petitioner's agreement dated 23.11.2015 for supply of ready to eat food material to the Aangan Badi Centre of Sulesa sector

has been cancelled.

2. It is argued that under Clause-11 of the terms and conditions of the agreement, such cancellation can be made only on recommendation of a Committee under the Chairmanship of District Collector whereas in the present case, the District Programme Officer has passed the order without giving any opportunity which is in violation of principles of natural justice. Learned counsel would refer to the order passed by this Court in the matter of **Mini Mata Mahila Swa Sahayata Samuh Village Kodwa Vs. State of Chhattisgarh & Others (WPC No.2320/2016, decided on 19.9.2016)**.
3. Learned State Counsel would submit that if direction is issued, the concerned Collector shall be instructed to examine the matter and pass necessary order in accordance with law.
4. In view of the aforesaid, the impugned order having been passed in violation of principles of natural justice, it deserves to be and is hereby set aside. The matter is remitted back to the Collector, Jashpur, who shall examine the complaint/irregularity committed by the petitioner by a Committee as contemplated under Clause-11 of the agreement and based on the recommendation of the Committee, the Collector shall pass the order in accordance with law.
5. Let the entire exercise be completed within a period of 4 months from today.
6. The writ petition is accordingly disposed of.

Sd/-

Judge
Prashant Kumar Mishra

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