

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 2292 of 2015

Shivganga Matasyoudyog Sahkari Samiti, Gondahur Through Its President Mahen Sarkar, S/o Ghiren Sarkar, Aged About 45 Years, R/o Radhanagar, P.O. No. 48, Post Gondahur, Tahsil Pankajur, District Uttar Bastar Kanker, (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Krishi (Machlipalan) Vibhag, Mantralaya, Naya Raipur, Raipur, (Chhattisgarh)
2. Assistant Director, Machlipalan, District Uttar Bastar Kanker, (Chhattisgarh)
3. Chief Executive Officer, Janpad Panchayat, Koylabeda, District Uttar Bastar Kanker, (Chhattisgarh)
4. President, Adivasi Baba Loknath Matasya Sahkari Samiti, Awadhpur, P.V. 133, Block Koylibeda, District Uttar Bastar- Kanker, (Chhattisgarh)

---- Respondents

Shri CJK Rao, counsel for the petitioner/s.
Shri Adhiraj Surana, Panel Lawyer for the State / respondents 1 and 2 on advance copy.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

29/01/2016

Heard.

Petitioner's grievance is that petitioner's representation against award of contract to respondent No.4 has not been considered properly and rejected.

2. It is submitted that the petitioner being Society registered earlier in point of time as compared to respondent No.4, is entitled to preferential treatment in the matter of award of fishing contract as per policy dated 24/03/03 (Annexure P/7).

3. The petitioner had submitted two representations. One on 11/08/15 praying for cancellation of registration of respondent No.4 / Society. Thereafter,

another representation was moved on 13/10/15 seeking cancellation of contract on the grounds which have been raised in this petition. Rejection of representation vide impugned order dated 10/09/15 (Annexure P/8) refers to Collector's letter dated 11/08/15. That means that subsequent representation on the grounds which have been raised in this writ petition has not been decided by the Assistant Director, Fisheries till date.

4. In these circumstances, it is directed that in the event the petitioner submits his representation afresh before the Assistant Director, Fisheries, District – North Bastar, Kanker within a period of 15 days from today, on the grounds which have been stated in the writ petition, the same shall be decided by the Assistant Director as early as possible after affording opportunity of hearing to respondent No.4 within 45 days. The petition, at this stage, is disposed off with the aforesaid direction to take legal remedy in case, grievance is not redressed.

Sd/-

(Manindra Mohan Shrivastava)
Judge