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HIGH COURT OF CHHATTISGARH, BILASPUR

MCC No. 1026 of 2015

Divya Jyoti Swa-Sahayata Samuh Kumhari Darri, Through Its Chairman- Smt. Gayatri Devi, Aged About 45 Years, W/o Indrapal Gond, R/o Kumhari Darri, Police Station- Pasan, Tahsil- Podi - Uproda, District- Korba, Chhattisgarh, Civil & Revenue District Korba, Chhattisgarh

---- Applicant

Versus

1. State Of Chhattisgarh , Through Secretary- Women And Child Development Department, Mahanadi Bhawan, Mantralaya Raipur, Police Station- Rakhi, Tahsil & District Raipur, Civil & Revenue District Raipur, Chhattisgarh
2. Collector, Collectorate Office Korba, Police Station- Rampur, Tahsil & District- Korba, Chhattisgarh, Civil & Revenue District Korba, Chhattisgarh
3. Project Officer, Integrated Child Development Scheme Pasan, Police Station- Pasan, Tahsil- Podi-Uproda, District- Korba, Chhattisgarh, Civil & Revenue District Korba, Chhattisgarh
4. District Programe Officer, Women And Child Development Department Korba, Police Station, Tahsil & District- Korba, Chhattisgarh, Civil & Revenue District Korba, Chhattisgarh
5. Indira Swa-Sahayata Samuh, Tanera, Police Station- Pasan, Tahsil- Podi-Uproda, District- Korba, Chhattisgarh, Civil & Revenue District Korba, Chhattisgarh

---- Respondents

And

HIGH COURT OF CHHATTISGARH, BILASPUR

MCC No. 1019 of 2015

Lata Mahila Swa-Sahayata Samuh, Rajkamma, Panchayat Madanpur (Rajkamma), Throught Ist Chairman Smt. Shimpi Sharma, Aged About 35 Years, W/o Sunil Sharma, R/o Rajkamma, Police Station & Tahsil Pali, District Korba (Chhattisgarh) Civil & Revenue District Korba (Chhattisgarh).....(Petitioner)

---- Applicant

Versus

1. State Of Chhattisgarh Through Secretary Women And Child Development Department, Mahanadi Bhawan Mantralaya Raipur, Police Station Rakhi, Tahsil & District Raipur, Civil & Revenue District Raipur (Chhattisgarh)
2. Collector Collectorate Office Korba, Police Station Rampur, Tahsil & District Korba (Chhattisgarh) Civil & Revenue District Korba (Chhattisgarh)
3. Project Officer, Integrated Child Development Scheme Rajkamma, Police Station & Tahsil Pali, District Korba (Chhattisgarh) Civil & Revenue District Korba (Chhattisgarh)
4. District Programme Officer, Women And Child Development Department Korba, Police Station, Tahsil & District Korba (Chhattisgarh) Civil & Revenue District Korba (Chhattisgarh)
5. Pragati Swa Sahayata Samuh Rajkamma, R/o Rajkamma, Police Station & Tahsil Pali, District Korba (Chhattisgarh) Civil & Revenue District Korba (Chhattisgarh).....(Respondents)

---- Respondents

And

HIGH COURT OF CHHATTISGARH, BILASPUR

MCC No. 1053 of 2015

Jai Maa Matin Dai Swa-Sahayata Samuh, Semra, Through Its Chairman Smt. Shanti Bai Tanwar, Aged About 50 Years, W/o Umend Singh Tanwar, R/o Village Semra, Police Station Pasan, Tahsil Podi Uroda, District Korba (Chhattisgarh) Civil & Revenue District Korba (Chhattisgarh).....(Petitioner)

---- Applicant

Versus

1. State Of Chhattisgarh Through Secretary Women And Child Development Department, Mahanadi Bhawan, Mantralaya Raipur, Police Station Rakhi, Tahsil & District Raipur, Civil & Revenue District Raipur (Chhattisgarh)
2. Collector, Collectorate Office Korba, Police Station Rampur, Tahsil & District Korba (Chhattisgarh)
3. Project Officer, Integrated Child Development Scheme Pasan, Police Station Pasan, Tahsil Podi Uroda, District Korba (Chhattisgarh)
4. District Programme Officer, Women And Child Development Department Korba,

Police Station, Tahsil & District Korba (Chhattisgarh), Civil & Revenue District Korba (Chhattisgarh)

5. Jai Matin Dai Swa Sahayata Samuh Lainga, Police Station Pasan, Tahsil Podi Uroda, District Korba (Chhattisgarh), Civil & Revenue District Korba (Chhattisgarh).....(Non Applicants)

---- Respondents

For Applicants	:	Shri Ratnesh Kumar Agrawal, Advocate
For Respondent No.5 in MCC1019/15	:	Shri Pushkar Sinha, Advocate
For Respondent/State	:	Shri Satish Gupta, Govt. Advocate

S.B.: Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

16/02/2016

1. The above three applications (MCC) are being disposed off by this common order as earlier writ petitions, out of which these applications have arisen, were disposed off by common order in view of identical issue raised in those cases.
2. The office report shows services of notice on all the respondents.
3. The applicants in the respective applications (MCC) have sought clarification/modification of the order dated 6.8.2015 passed in the writ petitions on the submission that while disposing off the writ petitions, this Court observed that the petitioners will continue only for the period under the agreement until it is further renewed. It is stated that under various circulars issued by the Govt. from time to time namely 9.7.2013, 30.1.2014 & 3.12.2014, notwithstanding expiry of the period under the agreement, the contract shall remain alive till it is specifically cancelled.
4. Learned counsel for the State submits that no adverse order has been passed against the petitioners/applicants and the issue decided by this Court was not in regard to the period of agreement but whether cancellation was proper or not.

5. Learned counsel appearing for respondent No.5 in MCC 1019/15 submits that the clarification sought by way of this petition is uncalled for as the issue relating to period was not under consideration in the writ petition.
6. This Court decided the lis between the parties arising on the account of cancellation of contract awarded to the respective applicants in the matter of supply of 'ready to eat meal' under Govt. circulars. Having found that the cancellation had taken place without affording any opportunity of hearing, the order of cancellation was set aside reserving liberty to the respondents to take action if any after giving notice. Observations made by the Court has not to be treated as if this Court decided the issue as to the period for which the applicants are entitled to continue. The respondent authority will have to decide this issue, if raised before it as to what is the period for which the applicants are entitled to continue.
7. If the applicants approach the competent authority with such a claim, the same will have to be decided on its own merits and in accordance with law. In case, the applicants are not satisfied with the decision, it will be open for the applicants to take recourse to such remedy as may be available to them under the law.
8. The order dated 11.2.2016 passed by the respondent-authority in the matter shall not be given effect to until the applicants' claim as referred to above is finally decided.

Sd/-
(Manindra Mohan Shrivastava)
Judge