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HIGH COURT OF CHHATTISGARH, BILASPUR

Writ Petition (C) No.1611 of 2014

Maan Mahamaya Mahila Swa-Sahayata Samuh, Sarora, District Raipur, Chhattisgarh, through the Secretary Keshari Dewangan, wife of Shri Gokul Dewangan, aged about 35 years, resident of Mahamaya Nagar, Sarora, Ward No.32, Police Station Urla, District Raipur, Chhattisgarh

---- Petitioner

versus

1. State of Chhattisgarh, through the Secretary, School Education Department, Mahanadi Bhawan, Mantralaya, New Raipur, Chhattisgarh
2. The Collector, Raipur, District Raipur, Chhattisgarh
3. The District Education Officer, Raipur, District Raipur, Chhattisgarh
4. Sub-Divisional Officer (Revenue), Raipur, District Raipur, Chhattisgarh
5. Municipal Council, Birgaon, through the Chief Municipal Officer, Birgaon, District Raipur, Chhattisgarh

---- Respondents

and

Writ Petition (C) No.1612 of 2014

1. Mata Safura Mahila Swa-Sahayata Samuh, Achholi, through the Secretary Motim Chaturvedi, aged about 40 years, wife of Shri Johan Lal Chaturvedi, resident of Village Achholi, Satnami Para, Police Station Urla, District Raipur, Chhattisgarh
2. Sarora Shri Om Sai Mahila Swa Sahayata Samuh, Sarora, through the Secretary Anusuiya, wife of Shri Bhukhan Lal Sahu, aged about 51 years, resident of Ward No.33, Sarora, Police Station Urla, District Raipur, Chhattisgarh
3. Sadbhawna Mahila Swa-Sahayata Samuh, Urkura, through the Secretary Kunti Verma, wife of Shri Prahlad Verma, aged about 32 years, resident of Ward No.17, Goutiyapara, Municipal Council Birgaon, Police Station Khamtarai, District Raipur, Chhattisgarh
4. Maan Shakti Mahila Sewa Samiti, through the President Rekha Verma, wife of Shri Manharan Verma, aged about 44 years, resident of Indira Nagar, Shukwari Bazar, Birgaon, Ward No.19, Municipal Council, Birgaon, Police Station Khamtarai, District Raipur, Chhattisgarh
5. Ekta Mahila Samiti Birgaon, through the Secretary Vishakha Verma, aged about 40 years, wife of Shri Rikhram Verma, resident of Indira Nagar, Shukwari Bazar, Birgaon, Ward No.19, Municipal Council, Birgaon, Police Station Khamtarai, District Raipur, Chhattisgarh
6. He Satnam Mahila Swa-Sahayata Samiti, through the Secretary Chhuni Joshi, wife of Shri L.N. Joshi, aged about 45 years, resident of Ward No.4, Urla, Nagar Palika Parishad Birgaon, P.S. Urla, District Raipur, Chhattisgarh

7. Jay Satnam Mahila Swa-Sahayata Samuh, through the Secretary Premin Bai Kurre, wife of Shri R.P. Kurre, aged about 48 years, R/o Trimurti Chowk, Vivekanand Ward No.5, Urla, Nagar Palika Parishad Birgaon, P.S. Urla, District Raipur, Chhattisgarh
8. Radha Krishna Mahila Swa Sahayata Samuh, through the Secretary Uma Sahu, aged about 34 years, wife of Shri Bharat Sahu, R/o Bajran Nagar, Sarora, Nagar Palika Parishad Birgaon, P.S. Urla District Raipur, Chhattisgarh
9. Shri Vikas Mahila Swa Sahayata Samuh, through the Secretary Aasha Sahu, wife of Shri Ramkumar Sahu, aged about 33 years, R/o Santosh Nagar, Birgaon, Nagar Palika Parishad Birgaon, P.S. Urla, District Raipur, Chhattisgarh
10. Jai Maan Shiv Shakti Mahila Swa-Sahayata Samuh, through the Secretary Kunti Bai, wife of late Shri Jugal Das, aged about 47 years, R/o Shikaripara, Vivekanand No.5, Nagar Palika Parishad Birgaon, P.S. Urla, District Raipur, Chhattisgarh
11. Om Shanti Mahila Samiti Urkura, through the Secretary Poonam Nirmalkar, aged about 35 years, wife of Shri Heeralal, R/o Ward No.30, Kabir Ward, Nagar Palika Parishad Birgaon, P.S. Khamtarai, District Raipur, Chhattisgarh
12. Shiv Shakti Mahila Swa-Sahayata Samuh, through the Secretary Shanti Ahirwar, aged about 36 years, wife of Shri Surendra Prasad Ahirwar, R/o Shiv Nagar Ward Minimata No.32, Nagar Palika Parishad Birgaon, P.S. Urla, District Raipur, Chhattisgarh
13. Chandra Kiran Mahila Swa Sahayata Samuh, through the Secretary Shakun Verma, aged about 35 years, wife of Shri Rajesh Verma, R/o Ward No.31, Jagriti Nagar, Birgaon, Nagar Palika Parishad Birgaon, P.S. Urla, District Raipur, Chhattisgarh

---- Petitioners

versus

1. State of Chhattisgarh, through the Secretary, School Education Department, Mahanadi Bhawan, Mantralaya, New Raipur, Chhattisgarh
2. The Collector, Raipur, District Raipur, Chhattisgarh
3. The District Education Officer, Raipur, District Raipur, Chhattisgarh
4. Sub-Divisional Officer (Revenue), Raipur, District Raipur, Chhattisgarh
5. Municipal Council, Birgaon, through the Chief Municipal Officer, Birgaon, District Raipur, Chhattisgarh

---- Respondents

For Petitioners	:	Shri Sudeep Agrawal, Advocate
For State/Respondents	:	Shri Prafull N. Bharat, Additional Advocate General
For Council/Respondent	:	Shri R.S. Baghel, Advocate
For Respective Intervenors	:	Shri Malay Kumar Bhaduri and Shri Avinash Chand Sahu, Advocates

Hon'ble Shri Deepak Gupta, Chief Justice

Order on Board

23.9.2016

1. Both the writ petitions are disposed of by the following common order as the issue involved therein is common.
2. These writ petitions are directed against the orders dated 8.8.2014 passed by the District Education Officer and dated 11.8.2014 issued by the Municipal Council. The Petitioners were given the work of providing mid-day meal of Government Schools on 9.8.2012. The order for supplying mid-day meal was for the period from 13-8-2012 to 30-4-2013. After the expiry of the said period, the Petitioners continued the work for further 2 years. Thereafter, a letter was written and now somebody else has been awarded the contract. I see no reason to interfere with the impugned orders. The only ground raised is that the order of termination of contract has to be passed by the Sub-Divisional Officer (Revenue). The Sub-Divisional Officer (Revenue), who is present in person, has filed his affidavit and he states that in this matter no order has been passed by him. Even otherwise, I am of the considered view that no right of the Petitioners is affected. They had a contract for the period of about 9 months only and they continued for almost 3 years. How can they claim continuation when the contract was only for the period of about 9 months? Learned Counsel appearing for the Municipal Council/Respondent submits that in another writ petition, being Writ Petition (C) No.1464 of 2013, the stand of the State is that the persons who have been given the contract of supplying mid-day meal will continue as long as their services are satisfactory. As and when the said writ petition is listed, the order in this matter passed by me today be placed on the record of the said writ petition. I am of the view that even if the work is satisfactory, it does not mean that the person has to

continue indefinitely. The other NGOs and bodies must be given the chance to work.

3. Therefore, I find no merit in the writ petitions. Both the petitions are dismissed.

Sd/-

(Deepak Gupta)
CHIEF JUSTICE