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HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 716 of 2016**

- Maa Mahamaya Mahila Swam Sahayata Samuh Village Pratappur, Post Pratappur, Police Station Pratappur, Tehsil Pratappur, District Surajpur (Chhattisgarh) Through : Its President Mangali W/o Harinarayan Nawik, Aged About 45 Years, R/o Village Pratappur, Post Pratappur, Police Station Pratappur, Tehsil Pratappur, District Surajpur (Chhattisgarh)

---- Petitioner**Versus**

1. State of Chhattisgarh Through The Collector, Surajpur, Surajpur, District Surajpur (Chhattisgarh)
2. District Programme Officer Department Of Woman And Child Welfare, Surajpur, District Surajpur (Chhattisgarh)
3. Project Officer Integrated Child Development Scheme, Pratappur Post And Tehsil Pratappur District Surajpur (Chhattisgarh)
4. Hariom Swam Sahayta Samuh Village Gotgawan, Post Pratappur, Police Station Pratappur, Tehsil Pratappur, District Surajpur (Chhattisgarh) Through Its President Smt. Rina Tirki, W/o Jawahar Tirki, Aged About 34 Years, R/o Village Gotgawan, Post Pratappur, Police Station Pratappur, Tehsil Pratappur, District Surajpur (Chhattisgarh)

---- Respondent**And****WPC No. 692 Of 2016**

- Sneha Mahaila Swa Sahayata Samuh Village Bhawrahi Sector Sonpur, Vikas Khand Pariyojna (Ma. Va. Vi. Vi.) Bhaiyathan, District Surajpur (Chhattisgarh), Licence No. 10515026000077, Through Smt. Aakibun Nisha, Wife Of Mohammad Yasin, Aged About 29 Years, R/o Village Bhawrahi, Post Gangoti, Police Station Surajpur, Tehsil Bhaiyathan, District Surajpur (Chhattisgarh).

---- Petitioner**Vs**

1. State of Chhattisgarh Through Department Of Women And Child Development, Mahanadi Bhawan Mantralaya, Naya Raipur, District Raipur (Chhattisgarh).
2. District Program Officer, Women And Child Development Department Surajpur, District Surajpur (Chhattisgarh).

3. District Collector Surajpur, District Surajpur (Chhattisgarh).
4. Ekta Swa Sahayta Samuh Gangoti, Janpad Panchayat Bhaiyathan, Sector Sonpur, District Surajpur (Chhattisgarh).

---- Respondent

And

WPC No. 694 Of 2016

- Garib Nawaz Swa Sahayata Samuh Village Jour Sector Bhanja, Vikas Khand Pariyojna (Ma.Va.Vi.Vi) Bhaiyathan, District Surajpur Chhattisgarh License No. 105150260000132, Through Its President Smt. Shabana Khatun W/o Mahiruddin Ansari Aged About 21 Years, R/o Village Jour, Post Dhanja, Police Station Surajpur, Tehsil Bhaiyathan, District Surajpur Chhattisgarh

---- Petitioner

Vs

1. State of Chhattisgarh Through Department Of Women And Child Development, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur Chhattisgarh
2. District Program Officer, Women And Child Development Department Surajpur, District Surajpur Chhattisgarh
3. District Collector Surajpur, District Surajpur Chhattisgarh
4. Shakti Mahila Swa Sahayata Samuh, Janpad Panchayat Bhaiyathan, Sector Bhanja, District Surajpur Chhattisgarh

---- Respondent

And

WPC No. 697 Of 2016

- Aarti Mahila Swam Sahayta Samuh Village Sonpur, Post Banja, Police Station Surajpur, Tehsil Bhaiyathan, District Surajpur (Chhattisgarh) Through : Its President Shrimati Pratiksha W/o Amit Kumar, Aged About 32 Years, R/o Village Sonpur Post Banja, Police Station Surajpur, Tehsil Bhaiyathan, District Surajpur (Chhattisgarh)

---- Petitioner

Vs

1. State Of Chhattisgarh Through The Collector, Surajpur, Surajpur, District Surajpur (Chhattisgarh)
2. District Programme Officer Department Of Woman And Child Welfare,

Surajpur, District Surajpur (Chhattisgarh)

3. Project Officer Integrated Child Development Scheme, Bhaiyathan, Post And Tehsil Bhaiyathan, District Surajpur (Chhattisgarh)
4. Ekta Swam Sahayta Samuh Village Gangoti, Police Station Surajpur, Tehsil Bhaiyathan, District Surajpur (Chhattisgarh) Through Its President Manju Gupta, W/o P. Gupta, Aged About 34 Years, R/o Village Gangoti, Post Banja, Police Station Surajpur, Tehsil Bhaiyathan, District Surajpur (Chhattisgarh)

---- Respondent

And

WPC No. 699 Of 2016

- Mahima Swam Sahayta Samuh Village Chardarpur, Post Aghinasalka, Police Station Surajpur, Tehsil Bhaiyathan, District Surajpur (Chhattisgarh), Through: Its President Shrimati Lilavati, W/o Bharat, Aged About 38 Years, R/o Village Chandarpur Post Aghinasalka, Police Station Surajpur, Tahsil Bhaiyathan, District Surajpur, (Chhattisgarh)

---- Petitioner

Vs

1. State of Chhattisgarh Through The Collector, Surajpur, District Surajpur, (Chhattisgarh)
2. District Programme Officer, Department Of Woman And Child Welfare, Surajpur, District Surajpur, (Chhattisgarh)
3. Project Officer, Integrated Child Development Scheme, Bhaiyathan, Post And Tehsil Bhaiyathan, District Surajpur, (Chhattisgarh)
4. Lakshmi Swami Sahayta Samuh, Village Gangoti, Police Station Surajpur, Tehsil Bhaiyathan, District Surajpur, (Chhattisgarh), Through Its President Sarita Gupta, W/o S.K.Gupta, Aged About 36 Years, R/o Village Salka, Post Aghinasallka, Police Station Surajpur, Tehsil Bhaiyathan, District Surajpur, (Chhattisgarh)

---- Respondent

And

WPC No. 698 Of 2016

- Mahila Bachat Samuh Village Jur, Post Banja, Police Station Surajpur, Tehsil Bhaiyathan, District Surajpur (Chhattisgarh) Through : Its President Manju Rajwade W/o Rohit Rajwade, Aged About 32 Years, R/o Village Jur, Post Banja, Police Station Surajpur, Tehsil Bhaiyathan, District Surajpur (Chhattisgarh)

---- Petitioner

Vs

1. State Of Chhattisgarh Through The Collector, Surajpur, Surajpur, District Surajpur (Chhattisgarh)
2. District Programme Officer Department Of Woman And Child Welfare, Surajpur, District Surajpur (Chhattisgarh)
3. Project Officer Integrated Child Development Scheme, Bhaiyathan, Post And Tehsil Bhaiyathan, District Surajpur, Chhattisgarh.
4. Shakti Mahila Bachat Samuh Village Khadganwan, Post Banja, Police Station Surajpur, Tehsil Bhaiyathan, District Surajpur (Chhattisgarh) Through Its President Geeta Sahu, W/o Rajesh Sahu, Aged About 34 Years, R/o Village Khadganwan, Post Banja, Police Station Surajpur, Tehsil Bhaiyathan, District Surajpur (Chhattisgarh)

---- Respondent

For respective Petitioners	:	Shri Mahendra Dubey and Shri Sushil Sahu, Advocates
For Respondent-State	:	Shri B. Gopa Kumar, Dy. AG for the State
For Respondent No.4	:	Shri Raghvendra Verma, Advocate (in WPC Nos. 692 & 697 of 2016)

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

21/09/2016

1. Petitioners were earlier working as Agency to supply ready to eat food material in their respective sectors. After completion of the period for which they were assigned the work or after cancellation of agreement, as the case may be, fresh proposals were called by the District Programme Officer from the eligible self-help groups for allotment of the work to provide ready-to-eat food material. The petitioners also applied in their respective sectors. However, the private respondents / self-help groups have been selected at the end of the selection procedure which includes consideration of inspection report in respect of each of the self-help group.
2. It is contended by the learned counsel for the petitioners that in each of the self-help group, who have been chosen for supplying the ready to eat food

material, the Aanganbadi workers or the Sahayikas are working as members of the self-help group, which is not permissible under clause – 2 of the guidelines issued by the State Government on 03.12.2014. It is also argued that there being no complaint against the petitioners and they being selected as allottees after 03.12.2014, they were entitled to continue to supply ready to eat food material for a period of five years in the same sectors.

3. It appears, at the time of selection, the matter has been examined by the District Programme Officer and thereafter the selection has been approved by the Collector. However, since the Collector does not appear to have considered the above aspect of the matter, it would be appropriate to dispose of the writ petitions with direction to the petitioners to move representations before the Collector highlighting the above aspects of the matter as well as any other ground of challenge, which may be available, within a period of two weeks from today. On such representations being made by the petitioners, the Collector shall hear the petitioners as well as the concerned self-help groups, who have been allotted the work and thereafter reasoned order shall be passed by the Collector within a period of eight weeks thereafter.
4. It is made clear that this Court has not considered the merits of the case and the Collector shall decide the matter in accordance with law, on its own merits without being influenced by any of the observation made in this order.
5. With the above direction and observations, all the writ petitions stand disposed of.

Sd/-
Judge
(Prashant Kumar Mishra)