

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 2630 of 2016

1. Puja Pashudhan Vikash Swa - Sahayata Samuh Gindola, Village: Gindola, Block: Baloda Bazar, District: Baloda Bazar-Bhatapara, (Chhattisgarh) through its President Jina Devi Dahariya, W/o Prem Prakash Dahariya, aged about 33 years, R/o village Gindola, Block Baloda Bazar, Dist. Baloda Bazar – Bhatapara (CG).

---- Petitioner

Versus

1. State Of Chhattisgarh Through: The Secretary, Women And Child Development Department, Mahanadi Bhavan, Mantralaya, New Raipur, District Raipur, (Chhattisgarh)
2. The Director, (Women And Child Development Department), Indrawati Bhavan, Mantralaya, New Raipur, District Raipur, (Chhattisgarh)
3. The Collector, (Women And Child Development Branch), Baloda Bazar- Bhatapara (Chhattisgarh)
4. The Project Officer, Integrated Child Development Project, Baloda Bazar, Block: Baloda Bazar, District Baloda Bazar-Bhatapara, (Chhattisgarh)
5. District Programme Officer, (Women And Child Development Department), Baloda Bazar, District Baloda Bazar- Bhatapara, (Chhattisgarh)
6. Chief Executive Officer, Jila Panchayat, Baloda Bazar, District Baloda Bazar- Bhatapara, (Chhattisgarh)
7. Jai Bhawani Pashudhan Swa Sahayata Samuh: Gindola, Block: Baloda Bazar, District: Baloda Bazar- Bhatapara (Chhattisgarh), Through Its President: Chitrekhya, W/o Manash Patel, Aged About: 35 Years, R/o Village: Gindola, Block: Baloda Bazar, District: Baloda Bazar Bhatapara, (Chhattisgarh)

---- Respondent

For Petitioner
For Respondent/State

Shri D. Kushwaha, Advocate
Shri R.K. Mishra, Dy. Adv. General

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

26/10/2016

1. It is argued by the learned counsel appearing for the petitioner that vide agreement dated 19-11-2015 the petitioner was made entitled to supply ready to eat food material in Sector Lahod, Block Baloda Bazar for a period of 5 years and the said agreement is still subsisting, yet the impugned order has been passed by the Collector (Women & Child Development Department) Baloda Bazar-Bhatapara, granting such right to the respondent No.7 Self Help Group. Learned counsel would submit that till the petitioner's agreement is subsisting, the impugned order amounts to cancellation of its agreement without affording any opportunity of hearing.
2. Considering the submission made by the learned counsel appearing for the petitioner, the writ petition is disposed of with a direction that the petitioner shall make a representation before the concerned Collector bringing into his notice the above aspect of the matter and any other ground which may be

available to it within a period of one month from today. The concerned Collector shall thereafter constitute a committee as required under clause 11 of the agreement and take decision in the matter within a further period of three months, after providing opportunity of hearing to the petitioner.

3. It is made clear that till the matter is decided by the Collector, the petitioner shall continue to supply ready to eat food material to the Aanganbadi Centers in accordance with the agreement (Annexure – P/2).

Sd/-

Judge
Prashant Kumar Mishra

Gowri