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HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 762 of 2016

- Jagriti Swa Sahayata Samooh, Parsiya Block Bhaiyathan, District Surajpur (Chhattisgarh), Through Its Secretary Anuja D/o Trinetra, Aged About 27 Years, R/o Parsiya, Block Bhaiyathan, District Surajpur (Chhattisgarh). **---- Petitioner**

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Women And Child Welfare, Mahanadi Bhavan Mantralaya, New Raipur, District Raipur (Chhattisgarh).

2. Collector, Surajpur, District Surajpur (Chhattisgarh).

3. District Programme Officer, Women And Child Welfare Department, District Surajpur (Chhattisgarh).

4. Mahamaya Swa Sahayata Samooh, Rajni, Block Bhaiyathan, District Surajpur (Chhattisgarh). **---- Respondents**

And

WPC No. 765 Of 2016

- Ma Mahamaya Swa Sahayata Samooh Satya Nagar Block Bhaiyathan, District Surajpur (Chhattisgarh), Through Its President Rewati W/o Lalji, Aged About 40 Years, R/o Satya Nagar, Block Bhaiyathan, District Surajpur (Chhattisgarh) **---- Petitioner**

Vs

1. State Of Chhattisgarh Through Secretary, Department Of Women And Child Welfare, Mahanadi Bhavan Mantralaya, New Raipur, District Raipur (Chhattisgarh)

2. Collector, Surajpur, District Surajpur (Chhattisgarh)

3. District Programme Officer Women And Child Welfare Department, District Surajpur (Chhattisgarh)

4. Radhika Swa Sahayata Samooh, Beltikri, Jhilmili, Block Bhaiyathan, District Surajpur (Chhattisgarh) **---- Respondents**

And

WPC No. 764 Of 2016

- Gayatri Swa Sahayata Samooh, Badsara Block Bhaiyathan, District Surajpur (Chhattisgarh), Through Its Secretary Sandhya W/o Mukesh Kumar Goswami, Aged About 30 Years, R/o Badsara, Block Bhaiyathan,

District Surajpur (Chhattisgarh). **---- Petitioner**

Vs

1. State Of Chhattisgarh Through Secretary, Department Of Women And Child Welfare, Mahanadi Bhavan Mantralaya, New Raipur, District Raipur (Chhattisgarh).

2. Collector, Surajpur, District Surapur (Chhattisgarh).

3. District Programme Officer, Women And Child Welfare Department, District Surajpur (Chhattisgarh).

4. Ekta Swa Sahayat Samooh, Gangauti, Block Bhaiyathan, District Surajpur (Chhattisgarh). **---- Respondents**

For Petitioners	:	Shri Vimlesh Bajpai, Advocate
For Respondent No.1 to 3	:	Shri Arun Sao, Deputy AG.
For Respondent No.4	:	Smt. Hamida Siddiqui, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

06/09/2016

Heard.

2. 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, 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 after the selection procedure including submission of inspection report in respect of each of the self-help group.

3. 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 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 material for a period of five years in the same sectors.

4. 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 this 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.

5. 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.

6. With the above direction and observations, writ petitions stand disposed of.

Sd/-

Judge
(**Prashant Kumar Mishra**)

Anjani