

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 2406 of 2016**

- Gyatri Mahila Swa Sahayata Samuh Sakrapali (M) President Smt. Gwalin Bai W/o Bhujbal Yadav, Mahila Swa Sahayata Samuh, Sakrapali (M), Village Mohtara (N), Block Bilaigarh, District Balodabazar- Bhatapara, (Chhattisgarh)

---- Petitioner**Versus**

1. State Of Chhattisgarh Through: Secretary Department Of Panchayat, Mahanadi Bhawan, Mantralaya, New Raipur, (Chhattisgarh)
2. Director, Mahila Avam Bal Vikas Vibhag Indravati Bhawan, New Raipur, (Chhattisgarh)
3. District Programme Officer, Mahila Avam Bal Vikas Vibhag, District Baloda Bazar-Bhatapara (CG)
4. Pariyojna Adhikari, Ekikrit Bal Vikas Pariyojna Bhatgaon, District Baloda Bazar- Bhatapara, (Chhattisgarh)
5. Collector, Baloda Bazar, District Baloda Bazar- Bhatapara, (Chhattisgarh)

---- Respondent

For Petitioner : Shri C.K. Sahu, Advocate.
 For Respondent/State : Shri Arun Sao, Deputy AG.

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****03/10/2016**

1. The petitioner would assail the legality and validity of the order passed by the District Programme Officer (Woman and Child Development), Balodabazar-Bhatapara on 15.9.2016 whereby the petitioner's agreement dated 5.11.2015 for supply of ready to eat food material to the Aangan Badi Centre of Bhatgaon sector has been cancelled.

2. It is argued that under Clause-11 of the terms and conditions of the agreement, such cancellation can be made only on recommendation of a Committee under the Chairmanship of District Collector whereas in the present case, the District Programme Officer has passed the order without giving any opportunity which is in violation of principles of natural justice. Learned counsel would refer to the order passed by this Court in the matter of **Mini Mata Mahila Swa Sahayata Samuh Village Kodwa Vs. State of Chhattisgarh & Others** (WPC No.2320/2016, decided on 19.9.2016).
3. Learned State Counsel would submit that if direction is issued, the concerned Collector shall be instructed to examine the matter and pass necessary order in accordance with law.
4. In view of the aforesaid, the impugned order having been passed in violation of principles of natural justice, it deserves to be and is hereby set aside. The matter is remitted back to the Collector, Balodabazar-Bhatapara, who shall examine the complaint/irregularity committed by the petitioner by a Committee as contemplated under Clause-11 of the agreement and based on the recommendation of the Committee, the Collector shall pass the order in accordance with law.
5. Let the entire exercise be completed within a period of 4 months from today.
6. The writ petition is accordingly disposed of.

Sd/-
Judge
(Prashant Kumar Mishra)

Barve