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HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 2510 OF 2016

Jai Durga Mahila Swa-Sahayata Samuh Achholi Block Palari,
Distirt Baloda Bazar Bhatapara Chhattisgarh Through Its
President Kumari Dhruv, W/o Ganesh Ram, Aged About 45 Yrs
R/o Village Achholi, Block Palari, District Baloda Bazar
Bhatapara Chhattisgarh

---- Petitioner

Vs

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, Palari, Block Palari, 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. Vaibhav Laxmi Swa Sahayata Samuh Tila, Block Palari, District Baloda Bazar Bhatapara Chhattisgarh

---- Respondent

For Petitioners

Mr. P.K. Patel, Advocate

For Respondent /State

Mr. UNS Deo, Government Advocate

Hon'ble Shri Justice Prashant Kumar Mishra
Order On Board

5/10/2016

1. It is argued by the learned counsel appearing for the petitioner

that vide agreement dated 10-12-2015 the petitioner was made entitled to supply ready to eat food material in Sector Guma, Block Palari 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 25 Aanganbadi Centers in accordance with the agreement (Annexure – P/2).

Judge
(**Prashant Kumar Mishra**)